

**THIRTY-SEVENTH LEGISLATIVE DAY**

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Mr. James Sewell, West End United Methodist Church, Nashville, Tennessee.

Representatives Chiles led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 92

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--92.

The Speaker announced that Representative Duer was excused because of illness.

The Speaker announced that Representative Yelton and Moore (Shelby) were excused because of legislative business.

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 204, 507, 552, 553, 675, 720, 853, 887, 1281, 1283, 1286, 1287, 1288, 1295, 1297, 1298, 1300 and 1301; and House Joint Resolutions Nos. 62, 216 and 217; for his action.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 196, 272, 533, 582, 638, 705, 741, 765, 781, 879, 880, 954, 979, 1021, 1123, 1129, 1136, 1181 and 1183, House Resolutions Nos. 63 and 64; and House Joint Resolutions Nos. 49, 138, 172, 173, 174, 175, 176, 183, 185, 188, 191, 193, 194, 195, 196, 198 and 213; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 196, 272, 533, 582, 638, 705, 741, 765, 781, 879, 880, 954, 979, 1021, 1123, 1129, 1136, 1181 and 1183; House Resolutions Nos. 63 and 64; and House Joint Resolutions Nos. 49, 138, 172, 173, 174, 175, 176, 183, 185, 188, 191, 193, 194, 195, 196, 198 and 213.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No.:

91--To enact Tennessee State Occupational Therapy Practice Act; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No. 499; signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 499; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

On motion of Mr. Webb, Senate Bill No. 618 was recalled from the Senate for further consideration.

CALENDAR

House Bill No. 1092--To amend Premium Finance Company Act.

Mr. Davis (Hamilton) moved that House Bill No. 1092 be passed on third and final consideration.

Mr. Davis (Hamilton) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1092 by deleting from Section 1 the words and figures "twenty-five percent (25%)" and substituting instead the words and figures twenty-four percent (24%)".

AND FURTHER AMEND by deleting from the amendatory language of Section 2 the words and figures "twenty-dollars (\$20.00)" and substituting instead the words and figures "fifteen dollars (\$15.00)".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1092, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	68
Noes . . . . .	19

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Bragg, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Disspayne, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Henry, Herndon, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Kisber, McAfee, Miller, Montgomery, Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Whitson, Williams, Wolfe, Wood and Work--68.

Representatives voting no were: Bell, Buck, Byrd, Crain, DeBerry, DePriest, Dills, Harrill, Hassell, Huskey, Kernell, McKinney, McNally, Murray, Pruitt, Shirley, Sir, Turner and Wheeler--19.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Joint Resolution No. 13--Relative to study, waivers for oversized classes, public schools.

Mr. Bivens moved that House Joint Resolution No. 13 be adopted.

Mr. Bivens moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Joint Resolution No. 13 by inserting in the last paragraph between the words "that..." and "a special joint committee..." the following:

"the special joint committee established by HJR 165 or..."

To further amend by adding a sentence at the end of the last paragraph to read:

"The speakers of the House and Senate shall determine to which committee this study shall be assigned."

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 13, as amended, was adopted by the following vote:

Ayes . . . . .	90
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--90.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

Senate Bill No. 287--To regulate loan guarantees, Tennessee Student Assistance Corporation.

Mr. Cobb moved that Senate Bill No. 287 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	82
Noes . . . . .	5

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Work--82.

Representatives voting no were: Crain, Gafford, Harrill, McAfee and Napier--5.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Senate Bill No. 200--To amend Sections 51-211, 51-216, 51-417 and 51-429, Code.

Mr. Hillis moved that Senate Bill No. 200 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 200 by deleting in Section 2 the words and figures "paragraph (2)" wherever they appear and by substituting instead the word "subsection".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 200, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	87
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--87.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Love moved that House Bill No. 186 be placed on the Calendar for Thursday, May 5, 1983, which motion prevailed.

House Bill No. 279--To provide for special license plates, National guard members.

Mr. Severance moved that House Bill No. 279 be passed on third and final consideration.

Mr. Severance moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 279 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-226(c), is amended by deleting items (2) and (3) in their entirety and by substituting instead the following:

- (2) For officers the tax shall be the regular license fee for each vehicle.

On motion, the amendment was adopted.

Thereupon, House Bill No. 279, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	92
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Dispayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--92.

Representative present and not voting was: Shirley--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 529--To amend Criminal Injuries Compensation Act.

On motion, House Bill No. 529 was made to conform with Senate Bill No. 302.

On motion, Senate Bill No. 302, on same subject, was substituted for House Bill No. 529.

Mr. Cobb moved that Senate Bill No. 302 be passed on third and final consideration.

Mr. Cobb moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 302 by adding the following new sections to be designated as Sections 1, 2, 5, 6, 7, 8, 9, 10, and 12 respectively:

**SECTION 1.** Tennessee Code Annotated, Section 29-13-102, subsection (c) is amended by deleting the existing language thereof and substituting in its place the following:

(c) Board shall mean the state board of claims.

**SECTION 2.** Tennessee Code Annotated, Section 29-13-103 is amended by deleting the existing language thereof in its entirety and substituting in its place the following:

The board of claims shall, pursuant to the provisions of this chapter, have jurisdiction to determine and award compensation to a claimant.

**SECTION 5. Tennessee Code Annotated, Title 29, Chapter 13, Part 1, is amended by adding the following new section:**

**SECTION \_\_\_\_.**

**(a) The board of claims shall have the following powers and duties:**

**(1) To adopt such rules as may be necessary to carry out the provisions of this Act.**

**(2) To prescribe forms for applications of compensation;**

**(3) To hear and determine all matters relating to claims for compensation, and the power to reinvestigate or reopen claims as the board deems necessary;**

**(4) To require from prosecuting attorneys or from law enforcement agencies involved such information and data from their investigation as will enable the board to determine whether, and the extent to which, a claimant qualifies for compensation. The district attorneys general shall not be required to submit any information other than that which is already in their possession as part of their prosecutorial files;**

**(5) To require the submission of such medical records as are required, and, when necessary, to direct medical examination of victims;**

**(6) To hold hearings, to administer oaths, to examine persons under oath and to issue summons requiring the attendance and giving of testimony of witnesses, and to require the production of any books or papers or other evidence. The powers provided in this section may be delegated by the board to its executive secretary and other designated employees; and**

**(7) To take or cause to be taken affidavits or depositions within or without the state.**

**SECTION 6. Tennessee Code Annotated, Section 29-13-108 is amended by deleting the first two sentences of subsection (b) and substituting in their place the following:**

**Each claim shall be sworn to and filed in the office of the executive secretary of the board in person or by mail. Section 29-13-108 is further amended by deleting subsection (c) and substituting in its place the following:**



(c) Upon receipt of the claim, the executive secretary shall promptly notify the district attorney general and the offender or offenders, if described in the claim. Such notification shall be in writing with copies of such material as is included in the claim or in support thereof. The claimant and the district attorney general shall be notified of the time and place of any hearing on the claim at least ten (10) days prior to the date set for such hearing. The district attorney general shall notify the board within five (5) days after his receipt of such notice whether or not he or a representative shall attend said hearing. Such notification may be by written or oral communication.

**SECTION 7.** Tennessee Code Annotated, Section 29-13-109 is amended by deleting subsection (a) and substituting in its place the following:

(a) The executive secretary or such other persons as may be designated by the board shall examine the papers filed in support of the claim and, if necessary, conduct or cause to be conducted an investigation into the validity of the claim. The investigation shall include, but not be limited to, an examination of police, court and official records and reports concerning the crime and an examination of medical and hospital reports relating to the injury or death upon which the claim is based. Based upon the available documentation, the executive secretary, or other designated person, may recommend to the board the disposition of the claim or may order a hearing on the claim, which hearing shall be held by the executive secretary or such other persons as may be designated by the board of claims in the county of the claimant's residence. If no hearing is scheduled on a claim, the board shall notify the appropriate district attorney general of the proposed disposition of the claim and said district attorney general shall be allotted ten (10) days to request that a hearing be held on said claim and reasons for such request. If the district attorney general requests a hearing, it shall be held in the county of the claimant's residence. If no such request is made the district attorney general shall be presumed to have waived any objection to the proposed disposition. Based upon the record of the hearing and other documentation, the person conducting such hearing shall recommend to the board either to grant the award or deny the claim.

The board shall review the recommendation of the executive secretary or other designated person and approve or modify such recommendation. If the action of the board is unfavorable to the claimant, the executive secretary shall notify the claimant, in writing, and state the reasons for the board's denial of the claim, and the claimant may,

within 30 days, petition the board for a hearing, rehearing or reconsideration. Upon receipt of such petition, the executive secretary shall set a hearing on any claim for which no hearing has previously been held. After reconsideration and review of the record of any hearing or rehearing not previously considered, the board shall affirm or modify its original decision, and the executive secretary shall provide the claimant a written decision of the board's final action. The final decision of the board shall be subject to judicial review by the chancery court of the county in which the claimant resides.

Section 29-13-109 is further amended by deleting subsections (e) and (f) and renumbering the remaining sections accordingly and by adding the following new subsection at the end thereof:

( ) Upon approval by the board of claims, the executive secretary of said board shall, without further authorization, subject to available funds, pay the claimant the amount, and in the manner, determined by the board. Such payment shall be made from the fund as set forth in Tennessee Code annotated, Section 29-13-116.

**SECTION 8.** Tennessee Code Annotated, Section 29-13-112, subsection (a) is amended by deleting subsection (a) thereof and substituting in its place the following:

(a) The board may allow reasonable attorney's fees, which shall be in the amount of fifteen percent (15%) of the amount awarded, unless the board, in its discretion, shall determine otherwise, said fees to be paid, in addition to the amount of such compensation, to the attorney representing the claimant.

**SECTION 9.** Tennessee Code Annotated, Title 29, Chapter 13, Part 1, is amended by adding the following new section:

**SECTION \_\_\_\_.** The record of a proceeding before the board or a member of its staff shall be a public record. However, any record or report obtained by the board or its staff, the confidentiality of which is protected by any other law or regulation, shall remain confidential, subject to such law or regulation.

**SECTION 10.** The Criminal Injuries Compensation Act of 1976, Part 1, with the exception of Section 29-13-113, is further amended by deleting the words "court" or "circuit court" wherever they appear and substituting instead the word "board".

**SECTION 12.** Tennessee Code Annotated, Title 29, Chapter 13, Part 1, is amended by adding thereto the following new section:

**SECTION \_\_\_\_.** The costs to the state board of claims

for administering this Act shall be paid from the criminal injuries compensation fund created under Section 40-24-107 and shall be made available through the budgetary process.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 302, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Work--91.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Joint Resolution No. 160--Relative to extending geese hunting season through January 31.

Mr. Crain moved that House Joint Resolution No. 160 be adopted.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 160 by deleting the sixth preamble clause in its entirety and by substituting instead the following:

WHEREAS, while an increased number of geese can be found in the Mississippi Valley Population closed areas, most gains have been negated by the massive overharvest of geese that has occurred in Illinois and Wisconsin; and

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 160, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--91.

Representative present and not voting was: Cobb--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 947--To make certain provisions, fuel tax.

Mr. Wood moved that House Bill No. 947 be passed on third and final consideration.

Mr. Love moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 947 by deleting in subsection (d) of Section 2 the words "by person operating service stations" and substituting instead "sold at retail".

On motion, the amendment was adopted.

Thereupon, House Bill No. 947, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson,

Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 851--To amend Title 67, Chapter 58, Code.

Mr. Burnett moved that House Bill No. 851 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 851 by deleting SECTIONS 8, 9, 10, 11, 12, 13, and 14 in their entirety and by renumbering the remaining sections accordingly.

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 851 by deleting Section 27 of the original bill as introduced in its entirety and by renumbering the subsequent section accordingly.

On motion, the amendment was adopted.

Thereupon, House Bill No. 851, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	74
Noes . . . . .	16
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Atchley, Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love,

McAfee, McKinney, Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Owen, Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Shirley, Shockley, Sir, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Williams, Wolfe, Wood and Mr. Speaker McWherter--74.

Representatives voting no were: Bewley, Dills, Henry, Herndon, Hudson, McNally, Murray, Percy, Phillips, Scruggs, Severance, Smith, Stafford, Stallings, Whitson and Work--16.

Representatives present and not voting were: Montgomery, Robertson and Wix--3.

A motion to reconsider was tabled.

House Bill No. 101--To change tax rate, sale of single article, personal property.

On motion, House Bill No. 101 was made to conform with Senate Bill No. 116.

On motion, Senate Bill No. 116, on same subject, was substituted for House Bill No. 101.

Mr. Bragg moved that Senate Bill No. 116 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	86
Noes . . . . .	7

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Work --86.

Representatives voting no were: Copeland, Crain, Dills, Harrill, Henry, Phillips and Stafford--7.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Shockley moved that House Bill No. 1164 be placed on the

first Calendar for next week which motion prevailed.

House Bill No. 46--To make certain provisions, Civil Services interviews.

On motion, House Bill No. 46 was made to conform with Senate Bill No. 180.

On motion, Senate Bill No. 180, on same subject, was substituted for House Bill No. 46.

Mr. Murphy moved that Senate Bill No. 180 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Work--92.

Representative present and not voting was: Pickering--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 510--To amend Section 8-30-308, Code.

On motion, House Bill No. 510 was made to conform with Senate Bill No. 327.

On motion, Senate Bill No. 327, on same subject, was substituted for House Bill No. 510.

Mr. Jared moved that Senate Bill No. 327 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	77
Noes . . . . .	15

Representatives voting aye were: Atchley, Bell, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Williams, Wix, Wood and Work--77.

Representatives voting no were: Anderson, Bewley, Chiles, Clark (Sumner), Harrill, Henry, Hudson, McAfee, Nance, Robertson, Scruggs, Smith, Ussery, Whitson and Wolfe--15.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 914--To provide for consumption, alcoholic beverages certain places.

On motion, House Bill No. 914 was made to conform with Senate Bill No. 725.

On motion, Senate Bill No. 725, on same subject, was substituted for House Bill No. 914.

Mr. Jones moved that Senate Bill No. 725 be passed on third and final consideration.

Mr. Shirley moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 725 by adding the following as a new section to be appropriately numbered immediately preceding the effective date section and by renumbering the effective date section accordingly:

**SECTION \_\_\_\_.** Provided, however, the provisions of this act shall apply to all establishments which serve alcoholic beverages regardless of their location.

Ms. DeBerry moved that Amendment No. 1 be tabled, which motion prevailed.

Ms. Gaia moved the previous question, which motion failed by the following vote:



Ayes . . . . .	28
Noes . . . . .	43
Present and not voting . . . . .	6

Representatives voting aye were: Bewley, Chiles, Davis (Pickett), Drew, Gaia, Harrill, Hassell, Herndon, Huskey, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, Miller, Moore (Sullivan), Murray, Naifeh, Nance, Phillips, Robinson (Hamilton), Robinson (Washington), Sir, Webb, Whitson and Williams--28.

Representatives voting no were: Anderson, Atchley, Bell, Bragg, Buck, Byrd, Clark (Davidson), Covington, Davis (Gibson), DePriest, Dills, Disspayne, Ellis, Elsea, Frensley, Gafford, Henry, Hillis, Hudson, Hurley, Jared, Kelley, Kisber, McAfee, McNally, Murphy, Napier, Pickering, Rhinehart, Robertson, Scruggs, Severance, Shirley, Shockley, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Wolfe and Wood--43.

Representative present and not voting were: Burnett, Crain, Davis (Hamilton), Montgomery, Owen and Wix--6.

Mr. McKinney moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 725 by adding a new section to read as follows:

"Sec. Those counties having a metropolitan form of government shall be exempt from the provisions of this act."

On motion, the amendment was adopted.

Ms. Gaia moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	60
Noes . . . . .	22
Present and not voting . . . . .	3

Representatives voting aye were: Bewley, Bivens, Buck, Burnett, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dixon, Drew, Ellis, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moore (Sullivan), Murphy, Naifeh, Napier, Owen, Phillips, Pruitt, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Sir, Stallings, Starnes, Tanner, Wallace, Webb, Whitson, Williams, Wood and Work--60.

Representatives voting no were: Anderson, Atchley, Bell, Bragg,

Byrd, Dills, Elsea, Henry, Hudson, McAfee, McNally, Murray, Nance, Rhinehart, Robertson, Scruggs, Shirley, Smith, Stafford, Turner, Ussery and Wolfe--22.

Representatives present and not voting were: Davidson, Frensley and Percy--3.

Thereupon, Senate Bill No. 725, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	50
Noes . . . . .	31
Present and not voting . . . . .	9

Representatives voting aye were: Bewley, Bivens, Brewer, Buck, Burnett, Chiles, Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dixon, Drew, Ellis, Elsea, Gaia, Hassell, Hudson, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pruitt, Robinson (Davidson), Robinson (Hamilton), Severance, Starnes, Tanner, Ussery, Webb, Wheeler and Williams--50.

Representatives voting no were: Atchley, Bell, Bragg, Byrd, Clark (Davidson), Copeland, Dills, Disspayne, Ford, Gill, Harrill, Henry, Hillis, Hurley, Huskey, Kelley, McAfee, Nance, Robertson, Scruggs, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Turner, Wallace, Whitson, Wolfe and Wood--31.

Representatives present and not voting were: Anderson, Clark (Sumner), DePriest, Frensley, Herndon, Percy, Rhinehart, Robinson (Washington) and Work--9.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1134--To change Name, Department of Insurance.

On motion, House Bill No. 1134 was made to conform with Senate Bill No. 1038.

On motion, Senate Bill No. 1038, on same subject, was substituted for House Bill No. 1134.

Mr. Anderson moved that Senate Bill No. 1038 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark

(Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Work--91.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 71--To enact State Occupational Therapy Practice Act.

On motion, House Bill No. 71 was made to conform with Senate Bill No. 91.

On motion, Senate Bill No. 91, on same subject, was substituted for House Bill No. 71.

Mr. Burnett moved that Senate Bill No. 91 be passed on third and final consideration.

Mr. Burnett moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 91 by deleting subsections (4), (5), and (6) of Section 3, Sections 4, 5, 6, 8, 14, 15, 17, 18 in their entirety and renumbering sections and subsections accordingly.

FURTHER AMEND by deleting the words "license" and "licensed" wherever they appear and substituting instead the words "certificate" and "certified" respectively.

FURTHER AMEND by deleting Section 7 in its entirety and substituting instead the following new section:

AN applicant for a certificate as an occupational therapist or as an occupational therapy assistant shall file an application showing that he or she:

(1) is of good moral character, and;

(2) that an occupational therapist registered has successfully completed the requirements of the American

Medical Association in collaboration with the American Occupational Therapy Association. An occupational therapy assistant shall have successfully completed a program approved by the American Occupational Therapy Association.

The state licensing board for the healing arts shall adopt, promulgate and enforce rules and regulations including the issuance of certificates regarding the practice of occupational therapy.

**AND FURTHER AMEND** by deleting the word "board" wherever it appears in the bill and substituting instead the words "board for the healing arts".

**AND FURTHER AMEND** by adding to Section 16 after the third line the following language:

"occupational therapy assistant whose certificate has been suspended"

**AND FURTHER AMEND** by addition to Section 11 subsection (6) the words:

Nothing in this act shall prevent certified orthotists from designing, fabricating and fitting orthotic devices.

**AND FURTHER AMEND** by addition to Section 11 subsection (7) the words:

Nothing in this act shall prevent any person employed by a physician from performing activities related to casting and splinting or teaching exercises related to specific treatment by the employing physician.

**AND FURTHER AMEND** by adding the following new section:

Section . (a) From and after July 1, 1983, no person shall practice occupational therapy or act as an occupational therapist's assistant, nor hold himself or herself out as being able to practice occupational therapy or act as an occupational therapist's assistant, unless he or she holds a certificate and otherwise complies with the provisions of this chapter and the rules and regulations adopted by the board.

(b) Nothing in this chapter, however, shall prohibit any person licensed to practice any of the other health-related professions in this state under any other law from engaging in the practice for which he or she is licensed; nor shall it prohibit persons employed as subsidiary workers in approved hospitals, nursing homes, physicians' offices and medical and rehabilitation clinics who do not represent themselves to be certified occupational therapists or occupational therapist's assistants from assisting in the occupational therapy care of patients under the direction and supervision of a licensed physician, dentist, osteopath or occupational therapist.

AND FURTHER AMEND by adding the following new section immediately before the effective date section:

Section . An occupational therapist may enter a case for the purposes of providing consultation and indirect services and evaluating an individual for the need of services. Implementation of direct occupational therapy to individuals for their specific medical condition or conditions shall be based on a referral or order from a physician licensed in the state of Tennessee. Occupational therapy services provided in the public or private school system shall not require a physician referral.

AND FURTHER AMEND by deleting the word "licensee" wherever it appears and substituting the words "certificate holder"

AND FURTHER AMEND by deleting the word "unlicensed" and substituting the word "uncertified"

AND FURTHER AMEND by deleting the words "licensee or" from item 9 of original Section 12 of the bill.

AND FURTHER AMEND by deleting from subsection (b) of the original Section 12 of the bill the words "or license" in the first sentence and in the second sentence.

On motion, the amendment was adopted.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 91 by adding to Section 3 (1) the following:

The inclusion of "designed crafts and therapeutic activities" in this section shall not prohibit their use by practitioners of therapeutic recreation.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 91, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson,

Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Work--92.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Love moved that House Bill No. 762 be placed on the Calendar for Thursday, May 5, 1983, which motion prevailed.

Mr. Cobb moved that House Bill No. 767 be placed on the first Calendar next week, which motion prevailed.

House Bill No. 1006--To make certain provisions, transitory vendors.

On motion, House Bill No. 1006 was made to conform with Senate Bill No. 991.

On motion, Senate Bill No. 991, on same subject, was substituted for House Bill No. 1006.

Mr. Wolfe moved that Senate Bill No. 991 be passed on third and final consideration.

Mr. Tanner moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 991 by deleting all the language following the enacting clause and substituting instead the following:

##### **SECTION 1. As used in this chapter:**

(1) "Merchandise" means any consumer item that is, or is represented to be, new or not previously owned by a consumer.

(2) "Temporary premises" means any public or quasi-public place including a hotel, roominghouse, storeroom, building or part of a building, tent, vacant lot, railroad car or motor vehicle, temporarily occupied for the purpose of exhibiting stocks of merchandise to the public. Premises are not temporary if the same person has conducted business at those premises for more than six months or has occupied the premises as his or her permanent residence for more than six months.

(3) "Transitory vendor" means any person who brings into temporary premises and exhibits to the public stocks of merchandise for the purpose of selling, or offering to sell, such merchandise to the public.

**SECTION 2.** Prior to conducting business in a county, a transitory vendor shall obtain a mobile vendor's permit from the sheriff of such county. The transitory vendor shall furnish reasonable proof of his identity and permanent address to the satisfaction of the sheriff and shall provide an adequate description of any motor vehicle or vehicles used in conducting business in the county, which description shall include the state of registration of such motor vehicle(s) and the license plate number(s) assigned thereto. Such vendor shall also specify the dates, place, or places, and approximate times during which business shall be conducted in the county.

**SECTION 3.** The sheriff may charge a twenty-five dollar (\$25.00) fee for issuing a mobile vendor's permit which shall be valid for the dates, place or places, and time specified. Such transitory vendor shall display the permit at the place where business is conducted so that it is visible to the public.

**SECTION 4.** This chapter does not apply to:

(1) Any corporation, community chest, fund or foundation organized and operated exclusively for religious, charitable, scientific, literary or educational purposes of which no part of the new earnings benefits any private shareholder or individual;

(2) State fairs, arts and crafts fairs, and other fairs and festivals conducted primarily for amusement and entertainment;

(3) Wholesale trade shows;

(4) The sale of Tennessee agricultural or handcraft products;

(5) A person who operates a permanent business, occupies temporary premises and prominently displays the business name and address while business is conducted from the temporary premises;

(6) Flea markets.

**SECTION 5.** Any person violating the provisions of this chapter shall be deemed guilty of a misdemeanor and upon first conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00). Any such person who subsequently thereafter violates

the provisions of this chapter shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment for a term of not less than one (1) year nor more than two (2) years.

**SECTION 6.** This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Murray moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 991 by deleting the language of Section 6 and by substituting instead the following:

"This act shall take effect on July 1, 1983, the public welfare requiring it."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 991, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	89
Noes . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--89.

Representatives voting no were: Brewer and Robertson--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

On motion, Senate Bill No. 12 was recalled from the Committee on Judiciary.

House Bill No. 709--To make certain provisions, child pornography.



On motion, House Bill No. 709 was made to conform with Senate Bill No. 12.

On Motion, Senate Bill No. 12, on same subject, was substituted for House Bill No. 709.

Mr. Moore (Sullivan) moved that Senate Bill No. 12 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 12 by adding the following new section immediately before the effective date section:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 39-1020(2)(g) is amended by deleting the word "man" and by substituting instead the word "person".

On motion, the amendment was adopted.

Mr. Stallings moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 12 by adding after subsection (a) of Section 1 the following new subsection and by relettering the subsequent subsections accordingly:

( ) It is a felony punishable upon conviction by imprisonment for not less than three (3) years nor more than twenty one (21) years for any parent or legal guardian or custodian of a child to consent knowingly to the participation by the child in a performance which includes sexual conduct.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 12, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally,

Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood and Work--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

On motion, of Ms. Moore (Sullivan), House Bill No. 1000 was withdrawn from the House.

Mr. Speaker McWherter resumed the Chair.

Mr. McKinney moved that the House stand in recess for one hour, which motion failed by the following vote:

Ayes . . . . .	40
Noes . . . . .	49
Present and not voting . . . . .	3

Representatives voting aye were: Atchley, Bivens, Bragg, Byrd, Chiles, Crain, DeBerry, Ellis, Elsea, Frensley, Gafford, Gaia, Henry, Hillis, Hudson, Hurley, Jared, Jones, King (Shelby), Love, McAfee, McKinney, Miller, Moore (Sullivan), Naifeh, Nance, Napier, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Shockley, Smith, Turner, Wheeler, Williams, Withers, and Work--40.

Representatives voting no were: Anderson, Bell, Bewley, Brewer, Buck, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Dixon, Drew, Ford, Gill, Hassell, Herndon, Huskey, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, McNally, Montgomery, Murphy, Murray, Percy, Phillips, Pruitt, Robinson (Washington), Scruggs, Severance, Sir, Stafford, Stallings, Tanner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe and Wood--49.

Representatives present and not voting were: Harrill, Owen and Mr. Speaker McWherter--3.

Mr. Bragg moved that the rules be suspended in order to allow Commissioner Bill Sansom, Gerald Adams and Don Morton on the House floor, which motion prevailed by the following vote:

Ayes . . . . .	79
Noes . . . . .	5

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis

(Hamilton), DePriest, Dills, Disspayne, Dixon, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hudson, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood and Work--79.

Representatives voting no were: DeBerry, Jones, McKinney, Murphy and Withers--5.

**House Bill No. 1161--General Appropriations Bill.**

Mr. Henry moved that House Bill No. 1161 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1161 by deleting in Section 1, Title I through Title III-6 and Title III-8 through Title III-23 and substituting in lieu thereof the following:

**I. LEGISLATIVE**

**1983-84**

1. General Assembly - Legislative Expense ... \$	971,500.00
2. Fiscal Review Committee .....	295,500.00
3. House of Representatives .....	3,655,100.00
4. State Senate .....	2,030,300.00
5. Office of Legislative Administration .....	149,800.00
6. Office of Legislative Services .....	164,000.00
7. Office of Legal Services .....	590,900.00
8. Code Commission .....	48,700.00

**Total Title I ..... \$ 7,905,800.00**

**II. JUDICIAL**

1. Appellate and Trial Courts .....	\$ 11,782,600.00
2. Indigent Defendants Counsel .....	2,517,200.00
3. Verbatim Transcripts .....	1,235,600.00
4. State Law Libraries .....	233,400.00
5. Judicial Council and Conference .....	89,700.00
6. Judicial Committees .....	27,400.00
7. Court System Administration .....	602,000.00
8. Appellate Court Clerks .....	348,700.00
9. State Board of Law Examiners .....	173,400.00

**Total Title II ..... \$ 17,010,000.00**

## III. EXECUTIVE

## 1. Constitutional and Quasi-Judicial Offices

## 1. Attorney General and Reporter

1.1 Attorney General and Reporter .....	\$ 2,716,400.00
1.2 Publication of Tennessee Reports .....	72,500.00
1.3 Special Litigation .....	100,000.00
1.4 Attorney's Fees--Federal Civil Rights Cases .....	416,300.00
Total Attorney General and Reporter .....	\$ 3,305,200.00

## 2. District Attorneys General

2.1 District Attorneys General .....	\$ 9,903,300.00
2.2 District Attorneys General Conference .....	35,400.00
2.3 Executive Secretary to District Attorneys General Conference .....	225,000.00
2.4 IV-D Child Support Program .....	516,100.00
Total District Attorneys General .....	\$ 10,679,800.00

## 3. Department of State

3.1 Secretary of State .....	\$ 1,295,200.00
3.2 State Elections Commission .....	40,000.00
3.3 Public Documents .....	465,000.00
3.4 State Library and Archives .....	1,444,200.00
3.5 Regional Libraries .....	3,690,300.00
Total Department of State ..	\$ 6,934,700.00

## 4. Office of Comptroller of the Treasury

4.1 Division of Administration .....	\$ 311,900.00
4.2 Office of Management Services .....	1,267,000.00
4.3 Division of State Audit .....	2,258,700.00
4.4 Division of County Audit .....	2,064,100.00
4.5 Division of Bond and Local Finance ..	205,700.00
4.6 Office of Local Government .....	228,900.00
4.7 Division of Municipal Audit .....	298,100.00
4.8 Division of Property Assessments ...	3,329,800.00
4.9 Tax Rebate Program .....	7,300,000.00
4.10 State Board of Equalization .....	320,100.00
Total Office of the Comptroller of the Treasury .....	\$ 17,584,300.00

## 5. Department of the Treasury

5.1 State Treasurer's Office .....	\$ 649,900.00
5.2 Board of Claims	
a. Awards .....	3,206,400.00
b. Criminal Injuries Compensation Program .....	2,201,000.00
Total Board of Claims ....	\$ 5,407,400.00

5.3	Defense Council Commission .....	428,000.00
	Total Department of the Treasury .....	\$ 6,485,300.00
6.	Public Service Commission .....	\$ 2,827,100.00
	Total Title III-1 ...	\$ 47,816,400.00
2.	Executive Offices	
1.	Governor's Office	
1.1	Governor's Office .....	\$ 1,783,800.00
2.	Executive Programs	
2.1	Intergovernmental Conferences and Grants .....	\$ 183,900.00
2.2	Juvenile Justice Advisory Council ..	72,700.00
2.3	State Planning Office .....	488,100.00
	Total Executive Programs ..	\$ 744,700.00
3.	Commissions	
3.1	Tennessee Children's Service Commission .....	\$ 658,100.00
3.2	Alcoholic Beverage Commission .....	550,900.00
3.3	Commission for Human Development ..	404,300.00
3.4	Health Facilities Commission .....	233,000.00
3.5	Tennessee Council of Juvenile Judges ..	39,000.00
3.6	Advisory Committee on Intergovernmental Relations .....	146,000.00
3.7	Tennessee Arts Commission	
a.	Tennessee Arts Commission .....	524,800.00
b.	Tennessee State Museum .....	702,700.00
	Total Tennessee Arts Commission .....	\$ 1,227,500.00
3.8	Board of Paroles .....	2,015,900.00
3.9	Obion-Forked Deer Authority .....	279,100.00
3.10	Commission on Aging .....	1,449,700.00
	Total Commissions .....	\$ 7,003,500.00
4.	Department of Finance and Administration	
4.1	Division of Administration .....	\$ 389,900.00
4.2	Division of Budget .....	523,600.00
4.3	Division of Accounts .....	1,703,400.00
4.4	Facilities Management .....	1,347,100.00
4.5	Casualty Insurance Program .....	210,000.00
	Total Department of Finance and Administration .....	\$ 4,174,000.00
5.	Department of Personnel	
5.1	Division of Administrative Services ..	\$ 1,130,700.00
5.2	Division of Training and Affirmative Action Services .....	294,700.00

5.3	Division of State Personnel Administrative Services .....	189,400.00
5.4	Division of Program Services .....	719,000.00
	Total Department of Personnel .....	\$ 2,333,800.00

6.	Department of General Services	
6.1	Division of Administration .....	\$ 803,100.00
6.2	Division of Food Service Management .....	77,300.00
6.3	Division of Public Works .....	6,916,300.00
6.4	Supreme Court Buildings .....	424,100.00
6.5	Purchasing Division .....	1,661,500.00
6.6	State Personal Property Utilization .....	392,600.00
6.7	James K. Polk Office Building .....	1,392,800.00
6.8	Division of Information Systems and Records Management .....	350,200.00
	Total Department of General Services .....	\$ 12,017,900.00

7.	Department of Veterans Affairs .....	\$ 918,200.00
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Total Title III-2 ... \$ 28,975,900.00

### 3. Department of Agriculture

1.	Division of Administration .....	\$ 838,100.00
2.	Division of Animal Industries .....	1,648,200.00
3.	Division of Plant Industries .....	914,700.00
4.	Division of Food and Dairies .....	1,473,300.00
5.	Division of Marketing .....	956,500.00
6.	Soil Conservation .....	200,000.00
7.	Agricultural Clubs .....	168,800.00
8.	Junior Agricultural Center .....	54,700.00
9.	Ellington Agricultural Center .....	42,400.00

Total Title III-3 ... \$ 6,296,700.00

### 4. Department of Tourist Development

1.	Administration and Travel Promotion .....	\$ 2,200,800.00
2.	Welcome Centers Program .....	725,200.00

Total Title III-4 ... \$ 2,926,000.00

### 5. Department of Conservation

1.	Division of Administration .....	\$ 1,739,200.00
2.	Historical Commission .....	478,900.00
3.	Heritage Program .....	166,900.00
4.	Division of Forestry .....	7,647,100.00
5.	Division of Geology .....	695,700.00

6. Division of Parks .....	9,342,600.00
7. Parks Maintenance .....	1,250,000.00
8. Facilities Management .....	1,377,000.00
9. Forestry Equipment .....	259,200.00

Total Title III-5 ... \$ 22,956,600.00

#### 6. Wildlife Resources Agency

1. Wildlife Resources Agency .....	\$ 8,404,200.00
2. Boating Safety Act .....	832,800.00

Total Title III-6 ... \$ 9,237,000.00

The appropriation made under Title III-6 may be increased or decreased as realized receipts of the Wildlife Resources Fund justify, subject to the approval of the Commissioner of Finance and Administration.

#### 8. Department of Economic and Community Development

1. Division of Administration and Support Services .....	\$ 711,600.00
2. Division of Industrial Development .....	2,075,600.00
3. Business and Industry .....	665,400.00
4. Community Development .....	2,676,700.00
5. Industrial Training Service .....	1,440,800.00
6. Division of Energy .....	130,300.00

Total Title III-8 ... \$ 7,700,400.00

#### 9. Department of Education

1. Administration and Field Services	
1.1 Division of Administration .....	\$ 5,104,200.00
1.2 Education Grants-in-Aid .....	56,300.00
1.3 Tennessee Tomorrow Program .....	46,100.00
1.4 Improvement of Basic Skills .....	1,783,100.00
1.5 Improvement of School Personnel ....	234,500.00
1.6 State Board of Education .....	92,600.00

Total Administration and

Field Services ..... \$ 7,316,800.00

#### 2. Kindergarten, Elementary and Secondary

2.1 State Foundation Program	
a. Tennessee Education Program ..	\$539,636,200.00
b. Pupil Transportation .....	18,498,000.00
c. Sick Leave for Teachers .....	4,121,300.00
d. Capital Outlay .....	11,856,500.00
e. Textbooks .....	8,045,000.00

	Subtotal State Foundation Program .....	\$582,157,000.00
2.2	Federally-Aided Programs	
a.	School Food Services .....	\$ 4,530,000.00
b.	Services to Handicapped Children .....	501,500.00
	Subtotal Federally-Aided Programs .....	\$ 5,031,500.00
2.3	Retirement and Pensions	
a.	Retirement Accumulation Fund .	\$119,106,200.00
b.	Social Security Contributions . .	47,559,600.00
c.	Aged Teachers' Pensions .....	2,580,200.00
	Subtotal Retirement and Pensions .....	\$169,246,000.00
2.4	Auxiliary Services	
a.	Educational Television .....	\$ 2,443,200.00
b.	State Driver Education .....	600,000.00
	Subtotal Auxiliary Services..\$	3,043,200.00
	Total Kindergarten, Elementary and Secondary .....	\$759,477,700.00
3.	Vocational-Technical Education	
3.1	Vocational and Technical Education	
a.	Vocational and Technical Education .....	\$ 6,923,500.00
b.	Adult Basic Education .....	572,300.00
	Total Vocational-Technical Education .....	\$ 7,495,800.00
4.	Special Schools	
4.1	Alvin C. York Agricultural Institute ..\$	843,800.00
4.2	Tennessee School for the Blind .....	2,838,600.00
4.3	Tennessee School for the Deaf .....	4,747,400.00
4.4	West Tennessee Center for the Deaf . .	184,800.00
4.5	Tennessee Preparatory School .....	5,568,100.00
	Total Special Schools .... \$	14,182,700.00
5.	Tennessee Jobs for High School Graduates ..\$	299,700.00
	Total Title III-9 ...	\$788,772,700.00
10.	Higher Education	
1.	Support Services	
1.1	Higher Education Commission .....	\$ 964,200.00
1.2	Contract Educational Program .....	1,279,000.00
1.3	Student Assistance Corporation .....	6,372,400.00
	Total Support Services ... \$	8,615,600.00



## 2. University of Tennessee System

## 2.1 Administrative and Other Services

a.	U.T. Systems - Administration	\$ 1,134,000.00
b.	Retirement Accumulation Fund	21,200,000.00
c.	Social Security Contributions	9,047,700.00
d.	U.T. Institute for Public Service	1,181,000.00
e.	U.T. Municipal Technology Advisory Service	432,000.00
f.	U.T. County Technical and Assistance Service	348,000.00
g.	U.T. Statewide Continuing Education	726,000.00
h.	U.T. Space Institute	1,683,000.00
	Subtotal Administration and Other Services	\$ 35,751,700.00

## 2.2 Agricultural Services

a.	U.T. Agricultural Experiment Stations	\$ 5,802,000.00
b.	U.T. Agricultural Extension Service	9,267,000.00
c.	U.T. College of Veterinary Medicine	4,841,000.00
	Subtotal Agricultural Services	\$ 19,910,000.00

## 2.3 Medical Education

a.	U.T. Center for Health Sciences	\$ 20,025,000.00
b.	U.T. Family Practice	1,812,000.00
c.	U.T. College of Medicine	12,887,000.00
	Subtotal Medical Education	\$ 34,724,000.00

## 2.4 University Campuses

a.	U.T. Chattanooga	\$ 12,605,000.00
b.	U.T. at Knoxville	60,158,000.00
c.	U.T. at Martin	10,018,000.00
	Subtotal University Campuses	\$ 82,781,000.00

Total University  
of Tennessee ..... \$173,166,700.00

## 3. State Board of Regents

## 3.1 Administration

a.	State University System Board	\$ 1,345,000.00
b.	Retirement Accumulation Fund	24,875,000.00
c.	Social Security Contributions	10,086,500.00
	Subtotal Administration	\$ 36,306,500.00

## 3.2 Medical Education

a.	East Tennessee State University - College of Medicine	\$ 5,342,000.00
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b.	East Tennessee State University -	
	Family Practice .....	907,000.00
	Subtotal Medical	
	Education .....	\$ 6,249,000.00

**3.3 Regional Universities**

a.	Austin Peay State University ..	\$ 8,512,000.00
b.	East Tennessee State University	. 16,632,000.00
c.	Memphis State University .....	. 34,788,000.00
d.	Middle Tennessee State	
	University .....	. 20,433,000.00
e.	Tennessee State University ....	. 13,578,000.00
f.	Tennessee Technological	
	University .....	. 15,533,000.00
	Subtotal Regional	
	Universities .....	\$109,476,000.00

**3.4 Community Colleges**

a.	Chattanooga State Technical Community	
	College .....	\$ 5,364,000.00
b.	Cleveland State Community	
	College .....	. 3,653,000.00
c.	Columbia State Community	
	College .....	. 2,594,000.00
d.	Dyersburg State Community	
	College .....	. 1,721,000.00
e.	Jackson State Community	
	College .....	. 2,905,000.00
f.	Motlow State Community	
	College .....	. 2,138,000.00
g.	Roane State Community	
	College .....	. 3,607,000.00
h.	Shelby State Community	
	College .....	. 5,967,000.00
i.	Volunteer State Community	
	College .....	. 3,418,000.00
j.	Walters State Community	
	College .....	. 3,872,000.00
	Subtotal Community	
	Colleges .....	\$ 35,239,000.00

**3.5 Area Vocational Technical Schools**

a.	Chattanooga Area Vocational-Technical	
	School .....	\$ 698,000.00
b.	Area Vocational Technical	
	Schools .....	. 15,492,400.00
	Subtotal Area Vocational	
	Training Schools .....	\$ 16,190,400.00
	Total State Board of	
	Regents .....	\$203,460,900.00

**4. State Board of Education**

## 4.1 Technical Institutes

a.	Memphis State Technical Institute	\$ 5,951,000.00
b.	Nashville State Technical Institute .....	4,689,000.00
c.	Knoxville State Technical Institute .....	2,341,000.00
d.	Tri-Cities Technical Institute . .	2,260,000.00
e.	Technical Institutes - Retirement.	2,707,000.00
f.	Technical Institutes - Social Security .....	986,200.00

Total Technical Institutes ..... \$ 18,934,200.00

Total Title III-10 .. \$404,177,400.00

## 11. Department of Insurance

1.	Division of Administration .....	\$ 558,200.00
2.	Division of Consumer Affairs .....	217,300.00
3.	Division of Fire Prevention .....	223,700.00
4.	Division of Regulatory Boards .....	2,602,700.00
4.1	Board of Pharmacy .....	338,500.00
4.2	Tennessee Motor Vehicle Commission .	208,400.00
4.3	Commission on Firefighting Standards and Education .....	59,900.00

Total Title III-11 .. \$ 4,208,700.00

## 12. Department of Banking ..... \$ 2,108,200.00

Total Title III-12 .. \$ 2,108,200.00

These funds shall be derived from banking fees assessed to the state banks by the Department of Banking as provided in Section 45-1-118 Tennessee Code Annotated.

## 13. Department of Labor

1.	Division of Administration .....	\$ 458,000.00
2.	Division of Occupational Safety .....	955,900.00
3.	Division of Workmen's Compensation .....	378,700.00
4.	Division of Mines .....	18,300.00
5.	Division of Labor Standards .....	264,300.00

Total Title III-13 ..... 2,075,200.00

## 14. Department of Mental Health and Mental Retardation

<b>1. Administration</b>		
1.1 Administrative Services Division	...	\$ 3,462,300.00
<b>2. Mental Health Services and Alcohol Drug Abuse Services</b>		
2.1 Alcohol and Drug Abuse Service Administration	.....	\$ 277,400.00
2.2 Alcohol and Drug Abuse Community Services	.....	1,682,300.00
2.3 Mental Health Services Administration	.....	1,417,000.00
2.4 Community Mental Health Program	..	16,560,100.00
2.5 Lakeshore Mental Health Institute	..	14,218,100.00
2.6 Middle Tennessee Mental Health Institute	.....	14,986,700.00
2.7 Western Mental Health Institute	....	12,077,000.00
2.8 Moccasin Bend Mental Health Institute	.....	6,851,100.00
2.9 Memphis Mental Health Institute	....	5,983,800.00
Total Mental Health Services	.....	\$ 74,053,500.00
<b>3. Mental Retardation Services</b>		
3.1 Mental Retardation Services Administration	.....	\$ 596,000.00
3.2 Community Mental Retardation Programs	.....	9,760,800.00
3.3 Arlington Developmental Center	....	678,600.00
3.4 Clover Bottom Developmental Center	.	931,800.00
3.5 Greene Valley Developmental Center	.	1,063,800.00
3.6 Mental Retarded Offender Program	..	1,326,200.00
Total Mental Retardation Services	.....	\$ 14,357,200.00
Total Title III-14	..	\$ 91,873,000.00
<b>15. Department of Military</b>		
1. Division of Administration	.....	\$ 921,200.00
2. Division of Tennessee National Guard	....	597,900.00
3. Division of Tennessee Air National Guard	.....	451,600.00
4. Tennessee Emergency Management Agency	.	603,100.00
5. Armories Maintenance	.....	358,500.00
6. Armories Utilities	.....	844,700.00
Total Title III-15	..	\$ 3,777,000.00
<b>16. Department of Health and Environment</b>		
<b>1. Administration</b>		
1.1 Executive Administration	.....	\$ 1,604,900.00
1.2 Safe Growth	.....	400,000.00

1.3	Office of Staff Support Services	...	4,251,900.00
	Total Administration	..... \$	6,256,800.00
2.	Manpower Resources And Quality Assurance		
2.1	Health Care Facilities	..... \$	554,100.00
2.2	Emergency Medical Services	.....	463,400.00
2.3	Health Related Boards	.....	1,915,600.00
	Total Manpower Resources and Quality Assurance	..... \$	2,933,100.00
3.	Environmental Management		
3.1	Administration	..... \$	730,000.00
3.2	Air Pollution Control	.....	1,124,500.00
3.3	Division of Radiological Health	....	975,400.00
3.4	Water Quality Control	.....	2,759,100.00
3.5	Solid Waste Management	.....	2,833,000.00
3.6	Laboratory Services	.....	2,197,600.00
3.7	Division of Surface Mining	.....	1,327,900.00
3.8	State Abandoned Land Program	.....	1,024,400.00
	Total Environmental Management	..... \$	12,971,900.00
4.	Community Health Services		
4.1	Administration	..... \$	4,456,100.00
4.2	Family Planning Service	.....	845,300.00
4.3	Maternal & Child Health Services	...	5,505,300.00
4.4	Crippled Children's Services	.....	4,659,200.00
4.5	Communicable Disease Control	.....	4,321,300.00
4.6	Health Promotion	.....	2,321,800.00
4.7	Health Access	.....	921,200.00
4.8	Chronic Disease Services	.....	374,800.00
4.9	Chronic Renal Services	.....	989,500.00
4.10	Hemophilia	.....	546,900.00
4.11	Epilepsy	.....	62,400.00
4.12	Hotel and Restaurant Inspection	....	817,900.00
	Total Community Health Services	..... \$	25,821,700.00
5.	Local Health		
5.1	Aid to Local Health Units	..... \$	7,869,000.00
	Total Local Health	..... \$	7,869,000.00
6.	Medicaid		
6.1	Medicaid Administration	..... \$	5,782,500.00
6.2	Medicaid Services	.....	77,335,900.00
6.3	Medicaid Long-Term Care	.....	73,186,500.00
	Total Medicaid	.....	\$156,304,900.00
	Total Title III-16	..	\$212,157,400.00
17.	Department of Human Services		

1.	Administration .....	
1.1	Division of Administration .....	\$ 5,394,800.00
1.2	Field Operations .....	5,025,600.00
1.3	Special County Rentals .....	2,782,000.00
	Total Administration .....	\$ 13,202,400.00
2.	Family Assistance Services	
2.1	Family Assistance Division .....	\$ 16,058,500.00
2.2	Aid to Dependent Children .....	22,468,600.00
2.3	Child Support .....	310,700.00
2.4	Disaster Relief Grants .....	500,000.00
	Total Public Assistance Services .....	\$ 39,337,800.00
3.	Social Services	
3.1	Social Services Division .....	\$ 5,090,400.00
3.2	Board and Care Contributions .....	5,165,900.00
3.3	Community Services .....	373,400.00
	Total Social Services .....	\$ 10,629,700.00
4.	Rehabilitative Services	
4.1	Vocational Rehabilitation .....	\$ 4,644,400.00
4.2	Industries for the Blind .....	1,008,700.00
	Total Rehabilitative Services .....	\$ 5,653,100.00
	Total Title III-17 ..	\$ 68,823,000.00

**18. Department of Revenue**

1.	Division of Administration .....	\$ 1,529,000.00
2.	Tax Enforcement Division .....	215,800.00
3.	Division of Motor Vehicle Tax .....	6,708,500.00
4.	Division of Franchise, Excise and Income Tax .....	1,390,700.00
5.	Division of Petroleum Tax .....	1,245,000.00
6.	Division of Miscellaneous Tax .....	1,883,000.00
7.	Division of Sales Tax .....	3,016,700.00
8.	Major Maintenance .....	25,000.00
9.	Administrative Services .....	356,800.00
10.	Management Systems Division .....	1,008,200.00
11.	Accounting Division .....	1,265,800.00
12.	Taxpayer Services Division .....	313,600.00
	Total Title III-18 ..	\$ 18,958,100.00

**19. Tennessee Bureau of Criminal Investigation**

Investigation .....	\$ 5,058,300.00
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Total Title III-19 .. \$ 5,058,300.00

**20. Department of Safety**

1.	Division of Administration and Staff	
	Services .....	\$ 1,352,200.00
2.	Division of Driver Control .....	4,166,300.00
3.	Division of Highway Patrol .....	18,125,700.00
4.	Patrol Training School .....	16,900.00
5.	Law Enforcement Training Academy .....	1,635,500.00
6.	School Bus Driver Training and Inspection .....	168,100.00
7.	Equipment .....	1,327,300.00
8.	Motor Vehicle Enforcement .....	3,919,700.00
9.	Driver Education .....	180,000.00
10.	Driver Improvement and Implied Consent . .	417,700.00
11.	Major Maintenance .....	249,800.00

**Total Title III-20 .. \$ 31,559,200.00**

**21. Miscellaneous Appropriations**

1.	Consolidated Retirement System	
1.1	Judicial and County Officials Retirement Contribution .....	\$ 7,399,900.00
1.2	Aged State Employees - Pension ....	162,500.00
1.3	Former Governors and Widows of Former Governors - Pensions .....	85,300.00
1.4	Widow of Appellate Judge - Pension .. .	1,800.00
1.5	Pension for Confederate Widow .....	6,000.00
1.6	State Employees' Unemployment Compensation and Sick Leave Death Benefit Payments .....	500,000.00
1.7	Cost-of-living Allowance to Retires .	1,900,000.00
1.8	Tennessee Association of Rescue Squads .....	57,600.00
1.9	State School Bond Authority Debt- Service .....	799,300.00
1.10	Group Insurance .....	7,100,000.00
1.11	Joe L. Evans Crafts Center .....	341,600.00

**Total Title III-21 .. \$ 18,354,000.00**

**22. Emergency and Contingency Fund ... \$ 1,000,000.00**

**Total Title III-22 .. \$ 1,000,000.00**

Subject to Item 12 of Section 11, the Emergency and Contingency Fund may be used for any purpose authorized by law to be allowed on Executive Order of the Governor; provided, however, the Emergency and Contingency Fund may not be used to fund any law requiring the expenditure

of state funds unless an appropriation is made elsewhere for the estimated first year's funding.

**23. Major Maintenance and Equipment**

1. State Building Commission .....	\$	250,000.00
2. Department of Correction .....	.	350,000.00
3. Department of Mental Health and Mental Retardation .....	.	350,000.00
<b>Total Title III-23 ..</b>	<b>\$</b>	<b>950,000.00</b>

**AND FURTHER AMEND** by deleting in Section 4, Title I through Title III-6 and Title III-8 through Title III-21 and substituting in lieu thereof the following:

**I. LEGISLATIVE**

**1983-84**

1. General Assembly - Legislative Expense ..	\$	1,200.00
2. Fiscal Review Committee .....	.	10,000.00
3. House of Representatives .....	.	10,500.00
4. State Senate .....	.	20,000.00
5. Office of Legislative Services .....	.	123,300.00
<b>Total Title I .....</b>	<b>\$</b>	<b>165,000.00</b>

**II. JUDICIAL**

1. Appellate and Trial Courts .....	\$	15,000.00
<b>Total Title II .....</b>	<b>\$</b>	<b>15,000.00</b>

**III. EXECUTIVE**

**1. Constitutional and Quasi-Judicial Offices**

1. Attorney General and Reporter		
1.1 Attorney General and Reporter .....	\$	66,000.00
1.2 Publication of Tennessee Reports .....	.	15,000.00
<b>Total Attorney General and Reporter .....</b>	<b>\$</b>	<b>81,000.00</b>
2. District Attorneys General		
2.1 Executive Secretary to District Attorneys General Conference .....	.	9,300.00
2.2 IV-D Child Support Program .....	.	1,204,200.00
<b>Total District Attorneys General .....</b>	<b>\$</b>	<b>1,213,500.00</b>
3. Department of State		
3.1 Secretary of State .....	\$	320,000.00



3.2	Library and Archives .....	277,100.00
3.3	Regional Libraries .....	1,000,000.00
	Total Department of State .....	\$ 1,597,100.00
4.	Office of Comptroller of the Treasury	
4.1	Division of Administration .....	\$ 150,800.00
4.2	Capitol Print Shop .....	724,700.00
4.3	Division of State Audit .....	2,200,000.00
4.4	Division of County Audit .....	386,900.00
4.5	Division of Municipal Audit .....	75,000.00
4.6	Division of Property Assessments ...	742,000.00
	Total Office of the Comptroller of the Treasury .....	\$ 4,279,400.00
5.	Department of the Treasury	
5.1	State Treasury's Office .....	\$ 3,838,200.00
5.2	Unclaimed Property-Claims .....	400,000.00
	Total Department of the Treasury .....	\$ 4,238,200.00
6.	Public Service Commission .....	\$ 189,600.00
	Total Title III-1 ...	\$ 11,598,800.00
2.	Executive Offices	
1.	Executive Programs	
1.1	Juvenile Justice Advisory Council ..	\$ 1,754,800.00
1.2	State Planning Office .....	245,400.00
	Total Executive Programs .....	\$ 2,000,200.00
2.	Commissions	
2.1	Tennessee Children's Services Commission .....	\$ 255,100.00
2.2	Alcoholic Beverage Commission .....	648,300.00
2.3	Commission for Human Development .	281,000.00
2.4	Health Facilities Commission .....	5,100.00
2.5	Tennessee Council of Juvenile Judges .....	2,200.00
2.6	Advisory Committee on Intergovernmental Relations .....	40,000.00
2.7	Tennessee Housing Development Agency .....	26,957,400.00
2.8	Tennessee Arts Commission	
	a. Tennessee Arts Commission ....	337,300.00
	b. Tennessee State Museum .....	93,000.00
	Total Tennessee Arts Commission .....	\$ 430,300.00
2.9	Obion-Forked Deer Authority .....	155,600.00

2.10	Commission on Aging .....	13,996,800.00
	Total Commissions .....	\$ 42,771,800.00
3.	Department of Finance and Administration	
3.1	Division of Administration .....	\$ 40,000.00
3.2	Division of Information System Services .....	16,871,900.00
3.3	Division of Accounts .....	155,700.00
	Total Department of Finance and Administration .....	\$ 17,067,600.00
4.	Department of Personnel	
4.1	Division of Administrative Services .....	\$ 58,000.00
4.2	Division of Training and Affirmative Action Services .....	195,000.00
4.3	Division of State Personnel Administration Services .....	837,700.00
4.4	Division of Program Services .....	64,100.00
	Total Department of Personnel .....	\$ 1,154,800.00
5.	Department of General Services	
5.1	Division of Postal Services .....	\$ 1,862,600.00
5.2	Division of Federal Property Utilization .....	776,800.00
5.3	Division of Motor Vehicle Management .....	13,095,100.00
5.4	Division of Public Works .....	969,400.00
5.5	Division of Public Works-Memphis ...	946,800.00
5.6	Division of Public Works-Chattanooga .....	780,500.00
5.7	Division of Purchasing .....	6,700.00
5.8	Division of Printing .....	2,745,000.00
5.9	State Personal Property Utilization .....	414,500.00
5.10	James K. Polk Office Building .....	762,000.00
5.11	Division of Information Systems and Records Management .....	117,500.00
5.12	State Employees Cafeteria .....	758,200.00
	Total Department of General Services .....	\$ 23,235,100.00
	Total Title III-2 ...	\$ 86,229,500.00
3.	Department of Agriculture	
1.	Division of Administration .....	\$ 48,700.00
2.	Division of Animal Industries .....	751,000.00
3.	Division of Plant Industries .....	449,900.00
4.	Division of Foods and Dairies .....	134,900.00
5.	Division of Marketing .....	1,082,600.00
6.	Ellington Agricultural Center .....	2,500.00

**Total Title III-3 ... \$ 2,469,600.00**

**4. Department of Tourist Development**

**1. Welcome Centers Program ..... \$ 2,493,900.00**

**Total Title III-4 ... \$ 2,493,900.00**

**5. Department of Conservation**

**1. Division of Administration ..... \$ 387,100.00**

**2. Historical Commission ..... 486,000.00**

**3. Heritage Conservation and Recreation  
Service Grants ..... 2,500,000.00**

**4. Heritage Program ..... 31,300.00**

**5. Division of Forestry ..... 1,542,100.00**

**6. Division of Geology ..... 112,000.00**

**7. Division of Parks ..... 13,190,000.00**

**8. Division of Soil Conservation ..... 1,878,200.00**

**Total Title III-5 ... \$ 20,126,700.00**

**6. Wildlife Resources Agency**

**1. Wildlife Resources Agency ..... \$ 4,233,400.00**

**2. Boating Safety Act ..... 356,300.00**

**Total Title III-6 ... \$ 4,589,700.00**

**8. Department of Economic and Community Development**

**1. Division of Administration and Support**

**Services ..... \$ 190,800.00**

**2. Business and Industry ..... 425,200.00**

**3. Community Development ..... 30,923,100.00**

**4. Industrial Training Service ..... 474,800.00**

**5. Division of Energy ..... 1,062,700.00**

**Total Title III-8 ... \$ 33,076,600.00**

**9. Department of Education**

**1. Division of Administration ..... \$ 48,000.00**

**2. Improvement of School Personnel ..... 657,000.00**

**3. State Board of Education ..... 39,800.00**

**4. Financial Assistance for Educational  
Disadvantaged Children ..... 73,105,300.00**

**5. School Food Services ..... 65,200,000.00**

**6. Services to Handicapped Children ..... 24,119,900.00**

**7. Consolidated Assistance for Elementary  
and Secondary Education ..... 8,725,500.00**

**8. Educational Television ..... 636,900.00**

**9. Vocational and Technical Education ..... 15,907,700.00**

10. Comprehensive Employment Training Act .....	7,229,500.00
11. Vocational Education Advisory Council ...	112,600.00
12. Adult Basic Education .....	2,591,800.00
13. Alvin C. York Agricultural Institute ....	364,800.00
14. Tennessee School for the Blind .....	193,600.00
15. Tennessee School for the Deaf .....	348,000.00
16. Tennessee Preparatory School .....	690,600.00

Total Title III-9 ... \$199,971,000.00

**10. Higher Education**

1. Higher Education Commission .....	\$ 24,600.00
2. Veterans Education .....	257,000.00
3. Student Assistance Corporation .....	5,296,400.00

Total Title III-10 .. \$ 5,578,000.00

**11. Department of Employment Security**

1. Division of Administration .....	\$ 40,825,100.00
2. Division of Special Administration .....	350,000.00
3. Comprehensive Employment Training Act . .	8,000,000.00

Total Title III-11 .. \$ 49,175,100.00

**12. Department of Insurance**

1. Division of Insurance .....	\$ 2,368,700.00
2. Division of Loans and Securities .....	853,700.00
3. Division of Fire Prevention .....	3,257,800.00

Total Title III-12 .. \$ 6,480,200.00

**13. Department of Banking .....** \$ 571,000.00

Total Title III-13 .. \$ 571,000.00

**14. Department of Labor**

1. Division of Administration .....	\$ 25,000.00
2. Division of Occupational Safety .....	1,571,600.00
3. Division of Manpower Development .....	61,982,400.00
4. Division of Mines .....	342,200.00
5. Division of Labor Standards .....	85,500.00

Total Title III-14 .. \$ 64,006,700.00

**15. Department of Mental Health and  
Mental Retardation**

1.	Administration		
1.1	Administrative Services Division	... \$	120,100.00
2.	Mental Health Services and Alcohol and Drug Abuse Services		
2.1	Alcohol and Drug Abuse Service Administration	.....	167,500.00
2.2	Alcohol and Drug Abuse Community Services	.....	2,762,000.00
2.3	Mental Health Services Administration	..	106,300.00
2.4	Community Mental Health Program	..	4,772,400.00
2.5	Lakeshore Mental Health Institute	..	5,059,400.00
2.6	Middle Tennessee Mental Health Institute	.....	4,940,600.00
2.7	Western Mental Health Institute	....	3,641,600.00
2.8	Moccasin Bend Mental Health Institute	.....	3,017,300.00
2.9	Memphis Mental Health Institute	....	2,451,700.00
	Total Mental Health Services	..... \$	26,918,800.00
3.	Mental Retardation Services		
3.1	Mental Retardation Services Administration	..... \$	79,100.00
3.2	Community Mental Retardation Programs	.....	1,000,000.00
3.3	Arlington Developmental Center	....	15,078,600.00
3.4	Clover Bottom Developmental Center	..	19,131,900.00
3.5	Greene Valley Developmental Center	..	19,410,300.00
3.6	Winston Developmental Center	.....	3,937,700.00
3.7	Mental Retarded Offender Program	..	10,000.00
	Total Mental Retardation Services	..... \$	58,647,600.00
	Total Title III-15	.. \$	85,686,500.00

**16. Department of Military**

1.	Division of Administration	..... \$	1,200.00
2.	Division of Tennessee National Guard	.....	646,700.00
3.	Division of Tennessee Air National Guard	.....	3,199,000.00
4.	Tennessee Emergency Management Agency	..	1,588,000.00
5.	Armories Maintenance	.....	535,800.00
6.	Armories Utilities	.....	389,600.00
7.	Disaster Relief Grants	.....	3,000,000.00
	Total Title III-16	.. \$	9,360,300.00

**17. Department of Health and Environment**

1.	Administration		
1.1	Executive Administration	..... \$	351,100.00

1.2	Office of Staff Support Services	...	1,715,000.00
	Total Administration	..... \$	2,066,100.00
2.	Manpower Resources and Quality Assurance		
2.1	Health Care Facilities	..... \$	1,121,800.00
2.2	Emergency Medical Services	.....	350,500.00
2.3	Health Related Boards	.....	100,800.00
	Total Manpower Resources and Quality Assurance	..... \$	1,573,100.00
3.	Environmental Management		
3.1	Air Pollution Control	..... \$	1,034,900.00
3.2	Division of Radiological Health	....	38,300.00
3.3	Waste Water Construction Grants	...	1,319,300.00
3.4	Water Quality Control	.....	1,938,400.00
3.5	Solid Waste Management	.....	1,492,200.00
3.6	Laboratory Services	.....	1,673,600.00
3.7	Division of Surface Mining	.....	3,079,400.00
	Total Environmental Management	..... \$	10,576,100.00
4.	Community Health Services		
4.1	Administration	..... \$	29,900.00
4.2	Family Planning Services	.....	7,507,700.00
4.3	Maternal & Child Health Services	...	3,930,200.00
4.4	Crippled Children's Services	.....	3,782,700.00
4.5	Communicable Disease Control	.....	1,459,300.00
4.6	Health Promotion	.....	2,017,500.00
4.7	Supplemental Food Program	.....	22,406,600.00
4.8	Health Access	.....	2,088,400.00
	Total Community Health Services	..... \$	43,222,300.00
5.	Local Health		
5.1	Aid to Local Health Units	..... \$	17,115,000.00
	Total Local Health	..... \$	17,115,000.00
6.	Medicaid		
6.1	Medicaid Administration	..... \$	9,554,200.00
6.2	Medicaid Services	.....	195,942,500.00
6.3	Medicaid Long-Term Care	.....	172,998,500.00
	Total Medicaid	..... \$	378,495,200.00
	Total Title III-17	..	\$453,047,800.00
18.	Department of Human Services		
1.	Administration		
1.1	Division of Administration	..... \$	11,051,800.00
1.2	Field Operations	.....	8,533,900.00
1.3	Special County Rentals	.....	4,867,600.00
	Total Administration	..... \$	24,453,300.00

<b>2. Family Assistance Services</b>	
2.1 Family Assistance Division .....	\$ 20,696,100.00
2.2 Aid to Dependent Children .....	58,850,200.00
2.3 Child Support .....	6,275,200.00
2.4 Disaster Relief Grants .....	1,500,000.00
Total Public Assistance Services .....	\$ 87,321,500.00

<b>3. Social Services</b>	
3.1 Social Services Division .....	\$ 15,225,900.00
3.2 Board and Care Contributions .....	6,788,500.00
3.3 Community Services .....	68,238,300.00
Total Social Services ....	\$ 90,252,700.00

<b>4. Rehabilitative Services</b>	
4.1 Vocational Rehabilitation .....	\$ 22,343,700.00
4.2 Disability Determination .....	13,436,400.00
4.3 Industries for the Blind .....	672,600.00
Total Rehabilitative Services .....	\$ 36,452,700.00

**Total Title III-18 .. \$238,480,200.00**

**19. Department of Revenue**

1. Division of Administration .....	\$ 493,400.00
2. Tax Enforcement Division .....	1,973,600.00
3. Division of Motor Vehicle Tax .....	100,000.00
4. Division of Miscellaneous Tax .....	380,000.00
5. Division of Sales Tax .....	2,282,000.00
6. Administrative Services .....	185,000.00
7. Management Systems Division .....	370,000.00
8. Accounting Division .....	318,900.00
9. Taxpayer Services Division .....	555,100.00

**Total Title III-19 .. \$ 6,658,000.00**

<b>20. Tennessee Bureau of Criminal Investigation .....</b>	<b>\$ 1,512,500.00</b>
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**Total Title III-20 .. \$ 1,512,500.00**

**21. Department of Safety**

1. Division of Administration and Staff Services .....	\$ 11,700.00
2. Division of Driver Control .....	4,640,000.00
3. Division of Highway Patrol .....	600,000.00
4. Law Enforcement Training Academy .....	231,100.00
5. School Bus Driver Training and Inspection .....	50,000.00
6. Equipment .....	80,000.00
7. Motor Vehicle Enforcement .....	616,200.00

8. Driver Improvement and Implied Consent . . 5,000.00

Total Title III-21 .. \$ 6,234,000.00

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 1161 by deleting in Section 1, Title III-2, Item 3.6, the words "Advisory Committee on Intergovernmental Relations" and substituting the words "Advisory Commission on Intergovernmental Relations".

AND FURTHER AMEND by deleting in Section 3, Item 2 the words and figures "Section 65-425 to Section 65-434" and substituting the words and figures "Section 65-4-301 to Section 65-4-309 and Section 65-4-117".

AND FURTHER AMEND Section 3, Item 2 by deleting the words and figures "Section 65-1501 to Section 65-1525" and substituting the words and figures "Section 65-15-101 to Section 65-15-123".

AND FURTHER AMEND Section 3, Item 2 by deleting the words and figures "Section 65-332 to Section 65-337" and substituting the words and figures "Section 65-3-201 to Section 65-3-206".

AND FURTHER AMEND Section 3, Item 2 by deleting the words and figures "Section 65-2804 and Section 65-2818" and substituting the words and figures "Section 65-28-104 to Section 65-28-111".

AND FURTHER AMEND by deleting in Section 3, Item 3 the words and figures "Sections 65-425 to 65-1525" and substituting the words and figures "Section 65-4-301 to Section 65-4-309 and Section 65-4-117".

AND FURTHER AMEND by deleting in Section 4, Title III-2, Item 2.6 the words "Advisory Committee on Intergovernmental Relations" and substituting the words "Advisory Commission on Intergovernmental Relations".

AND FURTHER AMEND by deleting in Section 11, Item 2 the words and figures "made under Title III-2-1.1" and substituting the words and figures "made under Section 1, Title III-2, Item 1.1".

AND FURTHER AMEND by deleting in Section 11, Item 3 the words and figures "under Title III-18" and substituting the words and figures "under Section 1, Title III-18".

AND FURTHER AMEND by deleting in Section 11, Item 4 the words and figures "Title III-17" and substituting the words and figures "Section 1, Title III-17".



**AND FURTHER AMEND** Section 11, Item 4 by deleting in subitem (b) the words and figures "under Title III-17-1.1" and substituting the words and figures "under Section 1, Title III-17, Item 1.1".

**AND FURTHER AMEND** Section 11, Item 4 by deleting in subitem (a) the words and figures "Section 14-305" and substituting the words and figures "Section 14-8-105".

**AND FURTHER AMEND** by deleting in Section 11, Item 8 the words and figures "under Title III-1" and substituting the words and figures "under Section 1, Title III-1".

**AND FURTHER AMEND** by deleting in Section 11, Item 9 the words and figures "in Title III-21" and substituting the words and figures "in Section 1, Title III-21".

**AND FURTHER AMEND** by deleting in Section 12, Item 6 the words and figures "Section 1, Title II-4" and substituting the words and figures "Section 1, Title II-3".

**AND FURTHER AMEND** Section 12, Item 6 by deleting the words and figures "Section 1, Title II-7" and substituting the words and figures "Section 1, Title II-6".

**AND FURTHER AMEND** by deleting in Section 14 the words and figures "Sections 4-3-1-6" and substituting the words and figures "Sections 4-3-1006".

**AND FURTHER AMEND** by deleting in Section 21 the words and figures "Tennessee Code Annotated, Sections 12-3-101 -- 12-3-119 and 12-3-204 -- 12-3-208" and substituting the words and figures "Tennessee Code Annotated, Sections 12-3-101, 12-3-201 to 12-3-208, 12-3-240 to 12-3-244, 12-3-246, 12-3-501 to 12-3-506 and 12-3-701 to 12-3-703".

**AND FURTHER AMEND** by deleting in the last sentence of Section 27 the words and symbols "Legislative Expense." and substituting the words and symbols "Legislative Expense."

**AND FURTHER AMEND** by deleting in Section 29 the words and figures "Item 4 of Title III-26" and substituting the words and figures "Section 1, Title III-26, Item 4".

**AND FURTHER AMEND** by deleting in Section 31, Item 1 the words and figures "under Title III-14.2" and substituting the words and figures "under Section 1, Title III-14.2".

**AND FURTHER AMEND** by deleting in Section 31, Item 3 the words and figures "Chapter 916, Section 31" and substituting the words and figures "Chapter 916, Public Acts of 1982, Section 31".

**AND FURTHER AMEND** by deleting in Section 38 the words and figures "provisions of Section 8-23-101" and substituting the words and

figures "provisions of Tennessee Code Annotated, Section 8-23-101".

**AND FURTHER AMEND** by deleting in Sections 33 and 34 the misspelled word "FUTHER" and substituting the word "FURTHER".

**AND FURTHER AMEND** by adding the following new items at the end of Section 11:

Item \_\_\_\_\_. Notwithstanding any provision of this act to the contrary, from the federal Maternal and Child Health block grant appropriated to the department of Health and Environment in Section 43 of this act, there is hereby allocated the sum of \$300,000 for maternal and child health activities at Meharry Medical College. The appropriation made in this item is subject to the approval of the commissioner of public health.

Item \_\_\_\_\_. No impoundment or set aside of funds shall be made from funds appropriated to the Tennessee Foundation Program, Grades K-12.

Item \_\_\_\_\_. From the funds appropriated by the provisions of this act in Section 1, Title III-2-3.9, there is hereby appropriated an amount of \$75,000.00 to the Dyer County Levee and Drainage District for the purpose of acquiring additional rights-of-way and maintaining rights-of-way of the district. Necessary attorneys' fees for the cost of acquiring rights-of-way may be paid out of this amount.

Item \_\_\_\_\_. The balance of the funds appropriated in item 26 of Section 11 of Chapter 435 of the Public Acts of 1979 shall not revert to the general fund on June 30, 1983, but are hereby reappropriated and shall remain available for the purpose for which originally appropriated. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. No funds appropriated in this Act may be obligated and/or expended for the holding of any meeting, conducted by any state agency, unless such meeting is held in a state facility other than a state park or in a state park when practical. In the event it is not practical to hold such meeting in a state park, the reasons and cost therefore must be set forth in writing by the affected agency head and shall be forwarded to the Commissioner of Finance and Administration, the Commissioner of Conservation and the chairmen of the Senate and House Finance, Ways and Means Committees prior to the holding of such meeting.

Item \_\_\_\_\_. The unexpended funds appropriated for members of the general assembly for home office expense allowances by the provisions of Section 26 of Chapter 916 of the Public Acts of 1982 shall not revert to the general fund on June 30, 1983 but shall remain available for the purposes appropriated.

Item \_\_\_\_\_. Notwithstanding any provisions of the law or this act to the contrary no state funds appropriated herein shall be distributed to any local education agency that expends funds from whatever source for membership dues to any organization authorized in Chapter 5 of Title 49 Tennessee Code Annotated unless the local education agency budget contains a separate line item identifying each organization by name and the amount of dues budgeted for each such organization authorized in Chapter 5 of Title 49 TCA.

Item \_\_\_\_\_. From the funds appropriated by the provisions of this act to the emergency and contingency fund, there is hereby authorized to be allocated an amount not to exceed forty thousand dollars (\$40,000.00) for the purpose of funding the continued work and study of the Master Teacher - Master Administrator Interim Commission described in Senate Bill No. 1000 / House Bill No. 1081 relating to the development of performance evaluation criteria and procedures for teachers. The funds allocated in this item shall be used solely and exclusively for operation of the Interim Commission and for no other purpose.

Except for funds appropriated by the provisions of this item, no funds appropriated by the provisions of this act shall be obligated or expended by any department, agency, division or entity of the state to establish, test or implement an incentive funding project to provide monetary incentives to schools or teachers. The provisions of this item shall not apply to any money expended by legislative committees which deal with the subject of education.

Item \_\_\_\_\_. Notwithstanding any provision of the law or this act to the contrary, no funds appropriated by the provisions of this act shall be obligated or expended to develop, implement or purchase in any form liability insurance for educators.

Item \_\_\_\_\_. There is earmarked a sum sufficient from the funds appropriated to the Department of Transportation to erect and maintain appropriate signs on the eastbound and westbound lanes of Interstate 640 at its intersection with State Route 62 indicating that camping facilities are available at those exits. The appropriation made in this item is subject to the approval of the commissioner of transportation.

Item \_\_\_\_\_. From the funds appropriated by the provisions of this act to the office of the Comptroller of the Treasury and the Department of Finance and Administration, there is hereby authorized to be allocated an amount not to exceed Twenty-one thousand dollars (\$21,000.00) for the purpose of meeting the State of Tennessee's participation in the cost of supporting the National Council on Governmental Accounting or a governmental accounting standards board in the establishment of governmental accounting standards and principles.

Item \_\_\_\_\_. No funds appropriated pursuant to the provisions of this act shall be obligated or expended to establish a statewide geographic information system within any department, agency or entity of state government until a select committee composed of three (3) members of the Senate, to be appointed by the speaker thereof; three (3) members of the house of representatives, to be appointed by the speaker thereof; and three (3) members to be appointed by the governor submit recommendations to the General Assembly regarding the scope, operation and location of such system. Such committee shall report its findings no later than March 1, 1984.

Item \_\_\_\_\_. That from the appropriations made under Chapter 916, Public Acts of 1982, to the Department of Legislature, any unexpended funds shall be carried forward in a reserve into the fiscal year beginning July 1, 1983 for expenditure in that year, subject to the approval of the Speaker of the Senate and the Speaker of the House of Representatives.

Item \_\_\_\_\_. From the funds appropriated by Chapter 916, Public Acts of 1982 to the Department of Legislature and carried forward in a reserve by the provisions of this act, there is appropriated the sum of two hundred twenty thousand five hundred dollars (\$220,500.00) to the House of Representatives for the sole purpose of purchasing a new voting machine system for the House of Representatives chamber.

Item \_\_\_\_\_. From the funds appropriated to the department of revenue by the provisions of this act, there is hereby transferred and appropriated to the department of state \$66,400 to be used in implementing the provisions of Senate Bill 1085/House Bill 1168. This appropriation is to be allocated \$19,100 to salaries and benefits to fund two (2) additional positions, and \$47,300 to other expenditures. This appropriation is contingent upon the passage of Senate Bill 1085/House Bill 1168.

Item \_\_\_\_\_. From the funds appropriated by the provisions of this act to Middle Tennessee State University, there is hereby earmarked a sum sufficient to pay the judgment entered in the case styled Lani Ford, et al. v. Chancellor Roy S. Nicks, et al., United States District Court for the Middle District of Tennessee, Civil Section No. 77-3202.

Item \_\_\_\_\_. The funds earmarked from the state board of equalization loan fund in Item 49 of Section 11 of Public Chapter 916 of 1982 shall remain available during fiscal year 1983-84 pursuant to the provisions of Public Chapter 757 of 1982.

Item \_\_\_\_\_. Notwithstanding any provisions of this act to the contrary, no funds appropriated pursuant to the provisions of this act or earmarked pursuant to the provisions of Tennessee Code Annotated, Sections 56-4-206, 56-4-207 or 50-1201 for the

administration and implementation of the Tennessee Occupational Safety and Health Act shall be obligated or expended for any other purpose. No such funds shall revert to the general fund on June 30, 1983 or on any June 30 thereafter and such funds shall remain available for the purpose for which appropriated or earmarked.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of conservation the sum of \$200,000 for the purpose of major maintenance, renovation, repair and upgrading of boat docks and boat slips and development of a picnic area at Booker T. Washington State Park. The appropriation made in this item is subject to the approval of the commissioner of conservation.

**AND FURTHER AMEND** by adding the following new items at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500) to each of the following agencies: Elk River Development Agency, Upper Duck River Development Agency, Sequatchie Development Agency, and Beech River Development Authority. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 to the department of conservation for the sole purpose of major maintenance, renovation and repair at T. O. Fuller state park. The appropriation made in this item is subject to the approval of the commissioner of conservation.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, for the 1983-84 school year, there is appropriated to Meharry Medical College unrestricted funds in the sum of two million dollars (\$2,000,000). The appropriation made in this item is subject to the approval of the commissioner of finance and administration and the Tennessee higher education commission.

Item \_\_\_\_\_. The commissioner of conservation shall develop and implement a graduated pricing structure for forest tree seedling stock. Such pricing structure shall be designed to include the following:

(1) non-industrial private landowners shall be charged less than full production costs;

(2) industrial and commercial entities shall be charged full production costs; and

(3) a differential in price shall be charged for out-of-state sales.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Education the sum of fifteen thousand dollars (\$15,000) for the sole purpose of funding the Tennessee Academy of Science.

Item \_\_\_\_\_. From the wildlife resources fund there is appropriated to the Tennessee wildlife resources agency the sum of \$474,500 for the purchase and operation of motor vehicles. The sum of \$438,500 shall be allocated for the purchase of such vehicles and the sum of \$36,000 shall be allocated for the operation of such vehicles.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provision of this act, there is hereby appropriated to the State Board of Regents the sum of four hundred sixty-three thousand dollars (\$463,000) for renovation of the student center at Dyersburg State Community College. The appropriation made in this item is subject to the approval of the commissioner of finance and administration and the Tennessee higher education commission.

Item \_\_\_\_\_. In addition to other appropriations made in this Act, there is hereby appropriated to the Comptroller of the Treasury eighty-two thousand, five hundred dollars (\$82,500) to implement the provisions of SB 185-HB 191 relative to the board and lodging of jurors in criminal cases. This appropriation is contingent upon the passage of SB 185-HB 191. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item \_\_\_\_\_. The department of state is authorized to create three (3) additional positions to implement modifications made to the Uniform Commercial Code pursuant to Senate Bill 598 - House Bill 831. This item is contingent upon the passage of Senate Bill 598 - House Bill 831.

Item \_\_\_\_\_. It is the legislative intent that the training and experience factors prescribed by Tennessee Code Annotated, Section 49-605(e)(1), presented as an improvement item in the Budget 1983-84 shall be treated as a continuation item, and it is the legislative intent that the training and experience factors shall be presented as a continuation item in the budget for 1984-85.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Labor the sum of one hundred thirty-eight thousand dollars (\$138,000) for the sole purpose of funding the Mine Safety

School. Said appropriation shall be funded from the state severance tax on coal.

**AND FURTHER AMEND** by deleting Title II of Section 1 in its entirety and substituting instead the following:

**II. Judicial**

1. Appellate and Trial Courts .....	\$11,827,500.00
2. Indigent Defendants Counsel .....	2,517,200.00
3. Verbatim Transcripts .....	1,245,400.00
4. State Law Libraries .....	264,400.00
5. Judicial Council and Conference .....	89,700.00
6. Judicial Committees .....	27,400.00
7. Court System Administration.....	606,900.00
8. Appellate Court Clerks .....	350,600.00
9. State Board of Law Examiners .....	197,600.00

**Total Title II .....** \$17,126,700.00

**AND FURTHER AMEND** by adding the following new item at the end of Title II of Section 1 and by adjusting the appropriate totals and subtotals accordingly:

10. Supreme Court Buildings ..... 427,400.00

**AND FURTHER AMEND** by deleting item 6.4 of Title III-2 of Section 1 which reads as follows:

6.4 Supreme Court Buildings ..... 427,400.00

and by adjusting the appropriate totals and subtotals accordingly.

**AND FURTHER AMEND** by deleting Section 1, Title III-9, item 2.6 which reads:

2.6 Teachers Liability Insurance ..... 250,000.00

and by adjusting all subtotals and totals accordingly.

**AND FURTHER AMEND** as follows:

In Section I, Title III-1, Item 6, "Public Service Commission," the figure \$2,855,900.00 is deleted and the figure \$3,663,027.00 is substituted therefor.

In Section I, Title III-1, in the line immediately following Item 6, "Total Title III," the figure \$50,148,200.00 is deleted and the figure \$50,955,327.00 is substituted therefor.

In Section I, Title III-20, Item 20, "Department of Safety," line 8, "Motor Vehicle Enforcement," the figure \$3,616,600.00 is deleted and the figure \$2,928,600.00 is substituted therefor.

In Section I, Title III-20, Item 20, in the line immediately following line 11, "Total Title III-20," the figure \$32,961,600.00 is deleted and the figure \$32,273,600.00 is substituted therefor.

In Section 4, Title III-1, Item 6, "Public Service Commission," the figure \$190,600.00 is deleted and the figure \$906,800.00 is substituted therefor.

In Section 4, Title III-1, in the line immediately following Item 6, "Total Title III-1," the figure \$12,462,900.00 is deleted and the figure \$13,179,100.00 is substituted therefor.

In Section 4, Title III-21, Item 21, "Department of Safety," line 7, "Motor Vehicle Enforcement," the figure \$616,200.00 is deleted and the figure 00.00 is substituted therefor.

In Section 4, Title III-21, Item 21, in the line immediately following line 8, "Total Title III-21," the figure \$6,234,400.00 is deleted and the figure \$5,618,200.00 is substituted therefor.

AND FURTHER AMEND by deleting from Section 10, Item 3, the last sentence which reads:

"This appropriation is in addition to expenses now being reimbursed."

AND FURTHER AMEND by deleting from SECTION 11 of the bill the language of Item 11 in its entirety and substituting instead the following:

"Item 11. Other provisions of the law to the contrary notwithstanding, from the appropriations made for the Department of the Treasury, there is hereby appropriated funds sufficient to defray the cost of administering, on behalf of state employee's compensated on the centralized state payroll system, Tennessee Code Annotated, Title 8, Chapter 25, Part 1, the same being the 'Government Employees Deferred Compensation Plan Act' and Tennessee Code Annotated, Title 8, Chapter 25, Part 3, the same being the 'Profit Sharing or Salary Reduction Plans for State Employees.'"

AND FURTHER AMEND by deleting from SECTION 17 of the bill the language of Item 1 in its entirety and substituting instead the following:

"Item 1. From the appropriations made herein the various departments, agencies, boards and commissions of state government shall pay on behalf of each participating employee within the respective departments, agencies, boards and commissions seventy percent (70%) of the cost of each individual's participation in the basic group medical insurance program and one hundred percent (100%) of the cost of twenty thousand dollars of basic term life insurance coverage and forty thousand dollars of basic special



accident insurance coverage for each participating employee; such basic medical, life and accident insurance program to be established pursuant to Tennessee Code Annotated, Section 8-25-201.

**AND FURTHER AMEND** by adding to SECTION 31 of the bill a new, appropriately designated item to read as follows:

"Item \_\_\_\_\_. The appropriation made under the authority of Chapter 916, Public Acts of 1982, in Section 1, Title III-21, Item 1.10, to finance the activities of the State Employees Liability Insurance Study, shall not revert to the General Fund on June 30, 1983, but shall be carried forward into the fiscal year beginning July 1, 1983 for expenditure in that year.

**AND FURTHER AMEND** by deleting from section 37, item 11 in its entirety and substituting therefor the following language:

Item 11. The line appropriation in Section 1, Title III-10 of this Act for Post Secondary Education Improvements shall be appropriated to the State Board of Regents for allocation to the vocational-technical education programs in the Regents' institutions and schools. The appropriation made in this item is subject to the approval of the commissioner of finance and administration and the Tennessee higher education commission.

**AND FURTHER AMEND** by deleting from Section 42 the following language:

"The Assistant Commissioner for Community Development shall be responsible for managing the CDBG program."

and by substituting instead the following:

"Upon a determination by the Department of Economic and Community Development of the recipients of funds, such determination shall be submitted to the Commissioner of Finance and Administration for approval prior to any expenditure of funds."

**AND FURTHER AMEND** by adding the following new section immediately following Section 42 and by renumbering subsequent sections accordingly:

SECTION \_\_\_\_\_. BE IT FURTHER ENACTED, notwithstanding any other provisions of this act or general law to the contrary, prior to the expenditure of any federal funds received through any of the block grants identified in Section 42 of this act or any funds received pursuant to the "Job Training Partnership Act", 29 U.S.C. 1501, Public Law 97-300, as enacted and approved October 13, 1982, or any other federally funded program, the State agency responsible for administering and expending funds under the federal program shall develop a plan of implementation identifying clearly the purposes of the expenditure of funds, the

criteria for eligibility, the procedure for determining recipients, and the procedures for making awards or otherwise making funds available and such plan shall be approved by the Commissioner of Finance and Administration and filed with the Chairmen of the Senate and House Finance, Ways and Means Committees.

**AND FURTHER AMEND** by adding the following new items to Section 44:

Item \_\_\_\_\_. There is hereby appropriated a sum sufficient to pay insurance claims filed by lending institutions under the provisions of the Guaranteed Student Loan Program. Provided, however, such payments shall be made from the insurance reserve fund maintained by the Tennessee Student Assistance Corporation and the State of Tennessee shall in no way be liable for such claims.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Student Assistance Corporation all reserve balances now held by the Corporation for the Student Loan Program authorized at Chapter 54, Title 49 Tennessee Code Annotated. To the extent deemed necessary by the Student Assistance Corporation, this appropriation may be used to make awards of assistance under the Student Assistance Program to students enrolled during the 1982-83 academic year or to make awards of assistance to students enrolled during the 1983-84 academic year if such students establish eligibility under a program of student aid offered by the Corporation. Allotment of funds appropriated by this item shall also be subject to the approval of the Commissioner of Finance and Administration.

**AND FURTHER AMEND** by adding to Section 44 the following new items:

"Item \_\_\_\_\_. From the funds available to the State Building Commission there is allocated the sum of \$54,000.00 for the purpose of planning the campus expansion at Motlow State Community College."

"Item \_\_\_\_\_. From the funds available to the State Building Commission there is allocated the sum of \$174,000.00 for the purpose of planning the Fogelman Building at Memphis State University."

**AND FURTHER AMEND** by adding the following new section:

**SECTION \_\_\_\_\_. BE IT FURTHER ENACTED**, that no change in the classification plan developed in accordance with Tennessee Code Annotated, Section 8-30-209, or the pay plan developed in accordance with Tennessee Code Annotated, Section 8-30-214, shall be made as a result of the Classification Compensation Study

presently being conducted by the Department of Personnel until such plan shall have been reviewed and commented on by the Commissioner of Finance and Administration and the Comptroller of the Treasury and such plan and comments shall have been filed with the chairmen of the Finance, Ways and Means Committees of the Senate and House.

**AND FURTHER AMEND** by adding the following new section:

**SECTION:** BE IT FURTHER ENACTED, that the Commissioner of Finance and Administration and the Comptroller of the Treasury shall study the use of special purpose telephone lines, WATS lines, dedicated telephone lines or other specialized telephone service, and shall prepare a report setting out the use and costs of such lines and services utilized during the current fiscal year and proposed for the fiscal year for which appropriations are made herein. Such report shall be made available to the chairmen of the Finance, Ways and Means Committees of the Senate and House by October 1, 1983.

All items in this amendment are amendments to House Bill No. 1161 (SB 869) as introduced on March 3, 1983.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

### **AMENDMENT NO. 3**

Amend House Bill No. 1161 by deleting in Section 1, Title III-7 and substituting in lieu thereof the following:

#### **7. Department of Correction**

1. Division of Administration .....	\$ 2,419,000.00
2. Division of Adult Probation .....	4,865,000.00
3. Division of Juvenile Probation .....	3,554,200.00
4. State Prosecutions .....	15,948,500.00
5. Correction Training Academy .....	633,900.00
6. Rehabilitative Services .....	4,595,800.00
7. Regional Work Camps .....	2,059,000.00
8. Work Camps - Off-Site Costs .....	2,118,200.00
9. Tennessee State Prison .....	16,121,900.00
10. Brushy Mountain Prison .....	5,637,800.00
11. Fort Pillow State Farm .....	7,934,800.00
12. Women's Prison .....	3,913,300.00
13. Turney Center for Youthful Offenders ....	7,518,300.00
14. DeBerry Correctional Institute .....	3,946,600.00
15. Shelby County Regional Facility .....	3,953,100.00
16. Middle Tennessee Reception Center .....	4,363,000.00
17. Bledsoe County Regional Facility .....	6,104,000.00
18. Morgan County Regional Facility .....	5,450,000.00

19.	Lake County Regional Facility .....	5,777,900.00
20.	Spencer Youth Center .....	5,050,200.00
21.	James M. Taft Youth Center .....	3,919,700.00
22.	Highland Rim School for Girls .....	1,211,300.00
23.	Tennessee Youth Center .....	1,813,000.00
24.	Foster and Group Homes .....	2,286,700.00
25.	John S. Wilder Development Center .....	2,576,600.00

Total Title III-7 ... \$123,771,800.00

**AND FURTHER AMEND** by deleting in Section 4, Title III-7 and substituting in lieu thereof the following:

**7. Department of Correction**

1.	Division of Administration .....	\$ 40,300.00
2.	Division of Adult Probation .....	172,800.00
3.	Division of Juvenile Probation .....	14,000.00
4.	Tennessee State Industries .....	5,382,000.00
5.	Rehabilitative Services .....	1,599,000.00
6.	Regional Work Camps .....	90,000.00
7.	Tennessee State Prison .....	997,700.00
8.	Brushy Mountain Prison .....	218,200.00
9.	Fort Pillow State Farm .....	1,444,900.00
10.	Women's Prison .....	525,200.00
11.	Turney Center for Youthful Offenders ....	656,800.00
12.	DeBerry Correctional Institute .....	126,600.00
13.	Shelby County Regional Facility .....	99,800.00
14.	Middle Tennessee Reception Center .....	97,200.00
15.	Bledsoe County Regional Facility .....	1,177,100.00
16.	Morgan County Regional Facility .....	531,800.00
17.	Lake County Regional Facility .....	269,800.00
18.	Spencer Youth Center .....	389,600.00
19.	James M. Taft Youth Center .....	324,400.00
20.	Highland Rim School for Girls .....	66,700.00
21.	Tennessee Youth Center .....	155,900.00
22.	Foster and Group Homes .....	35,000.00
23.	John S. Wilder Development Center .....	207,600.00

Total Title III-7 ... \$ 14,622,400.00

**AND FURTHER AMEND** by adding a new item to Section 12 to read as follows:

Item . There is hereby appropriated the sum of \$482,800.00 to the Tennessee Corrections Institute.

**AND FURTHER AMEND** by deleting in Section 1, Title III-24, Item 4 which reads:

"4. Department of Correction                      \$2,300,000.00"

and substituting in lieu thereof the following:

"4. Department of Correction	\$2,307,000.00"
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and change the subsequent total accordingly.

AND FURTHER AMEND by deleting in Section 1, Title III-26, item 4 and Total which read:

"4. Amortization of Authorized and Unissued Bonds	\$ 18,115,000.00
Total	\$102,393,000.00"

and substituting in lieu thereof the following:

"4. Amortization of Authorized and Unissued Bonds	17,452,000.00
Total	\$101,730,000.00"

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

#### AMENDMENT NO. 4

Amend House Bill No. 1161 by deleting the words "and/or loans" and "and/or loan" wherever they appear in Section 42.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

#### AMENDMENT NO. 5

Amend House Bill No. 1161 by deleting in Section 1, Title III-24 as amended, items 3, 8 and 10 which read:

"3. Department of Conservation	\$1,000,000.00
8. Department of Public Health	50,000.00
10. Department of Tourist Development	50,000.00"

and change the subsequent total accordingly.

AND FURTHER AMEND by deleting in Section 1, Title III-26 as amended, item 4 and substitute in lieu thereof the following:

4. Amortization of Authorized and Unissued Bonds \$15,343,000.00 and change the subsequent total accordingly.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1161, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 1162--To authorize bond issue, certain state department.

Mr. Henry moved that House Bill No. 1162 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1162 by deleting from Section 1, the words and figures:

"Forty-five Million, Three Hundred Thousand (\$45,300,000.00) Dollars"

and substituting in lieu thereof the words and figures:

"Twenty-nine Million, Eight Hundred Thousand (\$29,800,000.00) Dollars"

AND FURTHER AMEND by deleting from Section 4, Item 1, the words and figures:

"Six Hundred Ninety-three Thousand (\$693,000.00) Dollars to the Department of Conservation"

and substituting in lieu thereof the words and figures:

"Three Hundred Three Thousand (\$303,000.00) Dollars to the Department of Conservation"

**AND FURTHER AMEND** by deleting from Section 4, Item 2, the words and figures:

**"Twenty-five Million, Two Hundred Ninety-seven Thousand (\$25,297,000.00) Dollars to the Department of Correction"**

**and substituting in lieu thereof the words and figures:**

**"Twenty Million, Eight Hundred Seventy-four Thousand (\$20,874,000.00) Dollars to the Department of Correction"**

**AND FURTHER AMEND** by deleting from Section 4, Item 3, the words and figures:

**"Two Million, Three Hundred Seventy Thousand (\$2,370,000.00) Dollars to the Department of Finance and Administration"**

**and substituting in lieu thereof the words and figures:**

**"Three Hundred Seventy Thousand (\$370,000.00) Dollars to the Department of Finance and Administration"**

**AND FURTHER AMEND** by deleting from Section 4, Item 6, the words and figures:

**"Seven Million, Five Hundred Sixty Thousand (\$7,560,000.00) Dollars to the State Board of Regents"**

**and substituting in lieu thereof the words and figures:**

**"Four Million, One Hundred Seventy-three Thousand (\$4,173,000.00) Dollars to the State Board of Regents:"**

**AND FURTHER AMEND** by deleting in its entirety, Section 4, Item 5, and renumber the subsequent items.

**On motion, the amendment was adopted.**

**Thereupon, House Bill No. 1162, as amended, passed its third and final consideration by the following vote:**

<b>Ayes . . . . .</b>	<b>96</b>
<b>Noes . . . . .</b>	<b>0</b>

**Representatives voting aye were:** Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance,

Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 266--To authorize issuance of bonds, bridge across Fort Loudon Lake.

Mr. Scruggs moved that House Bill No. 266 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 266 as follows:

Section 7 is amended by deleting the section in its entirety and by substituting instead the following:

Notwithstanding anything to the contrary contained herein, the Funding Board shall have no authority to issue and sell any bonds or bond anticipation notes until the Commissioner of Transportation shall have included the proposed project in the state budget document, and the General Assembly has appropriated funds therefor and for the first year's obligation of principal and interest.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 266 by deleting the words "therefor and" in Section 7 as amended and by substituting instead the words "therefore in a separate line item in the general appropriations act".

On motion, the amendment was adopted.

Mr. Speaker McWherter moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 266 by adding the following language at the end of Section 3:



Such proceeds shall not be expended before July 1, 1985, or before the General Assembly has provided authorization for the issuance of one hundred fifty million dollars (\$150,000,000) of bonds, and has appropriated funds to pay the first year's obligation of principal and interest of such bonds, to be used for the sole purpose of either widening State Highway 22 to four (4) lanes from its intersection with U.S. Highway 79 in Carroll County to its intersection with Interstate Highway 40, or the widening of U.S. Highway 79 from its intersection with state Highway 22 in Carroll County to its intersection with Interstate 24 near Clarksville, whichever is more economically feasible as determined by the Department of Transportation, whichever occurs later.

Mr. Wallace moved that House Bill No. 266 be re-referred to the Committee on Finance, Ways and Means, which motion prevailed.

Mr. Smith moved that Senate Bill No. 769 be placed on the Calendar for Thursday, May 5, 1983, which motion prevailed.

House Bill No. 1158--To impose tax, coin-operated amusement devices.

Mr. Rhinehart moved that House Bill No. 1158 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1158 by deleting part (5) of subsection (a) of Item      of the amendatory language of Section 1 and substituting instead the following:

(5) "Coin-operated amusement device" or "device" means any coin or token operated game, machine or device which, as a result of depositing a coin, token or other object, automatically or by or through some mechanical or electronic operation involving skill, chance, or a combination thereof, affords music, amusement, or entertainment of some character without vending any merchandise. "Coin-operated amusement device" shall include, but shall not be limited to, the following: coin operated pool tables, juke boxes, video games, which may require the operation of buttons, sticks, knobs or the like, video amusement machine, video card games and video educational devices. Such "coin-operated amusement device" shall not include any bona fide merchandise vending machines as defined in Tennessee Code Annotated, Section 67-4203, item 65(c), or any device operated for the purpose of unlawful gambling, or a pinball machine as defined in Tennessee Code Annotated, Section 39-6-631, or an individually owned amusement device located in a private dwelling and intended for the exclusive private enjoyment of the owner and

his guests and not used or operated for gain, profit or other commercial purpose.

**AND FURTHER AMEND** by deleting the first complete sentence (including subparts (1) and (2)) of subsection (b) of ITEM\_\_ of the amandatory language of Section 1 and substituting instead the following:

(b) In lieu of all other state or local taxes, fees or assessments of whatever kind, the owner of any coin-operated amusement device shall pay to the department of revenue a tax of one hundred dollars (\$100.00) for each device owned for the privilege of operating, leasing, subleasing or consigning such device in this state.

**AND FURTHER AMEND** by deleting subsection(c) of ITEM\_\_ of the amandatory language of Section 1 and substituting instead the following:

(c) Upon receipt of the tax and return required the commissioner shall issue tax stamps to the owner for each device for which payment is made. Such stamp shall display the year of validity and be color coded or by some other method easily identifiable to persons enforcing this act. This tax stamp shall constitute proof of payment of the tax imposed and all devices in use or intended for use which require a tax stamp shall have such stamp affixed to such device. If a device becomes inoperable, is sold, or is stored or otherwise disposed of in such a manner that it is no longer in use or intended for use, the owner of such device may remove the stamp from such device and place it on another device he owns that is subject to the tax imposed by this act. Provided, however, this subsection shall not permit the transfer of tax stamps from one (1) owner to another. Any device which is in use or intended for use that does not have a current tax stamp affixed to it shall be subject to confiscation as contraband.

**AND FURTHER AMEND BY ADDING** the following new subsection (e) immediately following subsection (d) of ITEM\_\_ of the amandatory language of Section 1:

(e) Nothing in this act shall be construed to authorize or permit gambling on any device taxed herein. Notwithstanding the payment of the tax provided for herein, any device used in violation of any provision of Part 6 of Chapter 6 Title 39, Tennessee Code Annotated shall be subject to immediate seizure and confiscation in accordance with Tennessee Code Annotated, Section 39-6-602.

On motion, the amendment was adopted.

Mr. Davidson moved the previous question, which motion failed by the following vote:

Ayes . . . . .	45
Noes . . . . .	41
Present and not voting . . . . .	2

Representatives voting aye were: Atchley, Bell, Bewley, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Davidson, Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Frensley, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, King (Washington), Love, McKinney, McNally, Moore (Sullivan), Murphy, Murray, Percy, Pickering, Rhinehart, Smith, Stafford, Stallings, Starnes, Webb, Withers, Wix, Wolfe and Work--45.

Representatives voting no were: Anderson, Bivens, Clark (Sumner), Crain, Davis (Gibson), Davis (Hamilton), Dixon, Elsea, Ford, Gafford, Gaia, Hassell, Herndon, Johnson, Jones, Kelley, Kent, King (Shelby), Kisber, Miller, Montgomery, Naifeh, Nance, Napier, Phillips, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Tanner, Ussery, Wallace, Wheeler, Whitson, Williams and Wood--41.

Representatives present and not voting were: Owen and Turner --2.

Mr. Johnson moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 1158 by deleting the words and figures "tax of one hundred dollars (\$100.00) for each device owned" and by substituting instead the words and figures "tax of fifty dollars \$50.00) for each device owned"..

Mr. Henry moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	47
Noes . . . . .	43

Representatives voting aye were: Atchley, Bell, Bewley, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Hamilton), DeBerry, Disspayne, Ellis, Elsea, Ford, Gill, Harrill, Henry, Hudson, Hurley, King (Shelby), Love, McAfee, McNally, Miller, Moore (Sullivan), Murphy, Murray, Percy, Rhinehart, Robinson (Davidson), Scruggs, Shirley, Shockley, Smith, Stafford, Starnes, Turner, Ussery, Webb, Wolfe, Wood and Mr. Speaker McWherter--47.

Representatives voting no were: Anderson, Bivens, Clark (Sumner), Crain, Davis (Gibson), Davis (Pickett), Dills, Dixon, Drew, Gafford, Gaia, Hassell, Herndon, Hillis, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, McKinney, Montgomery, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Robertson, Robinson (Hamilton), Robinson (Washington), Severance, Sir,

Stallings, Tanner, Wallace, Wheeler, Whitson, Williams and Wix--43.

Mr. Wood moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 1158 by adding the following language to Section 1 as a new subsection (e):

(e) Provided, however, that it is the express intention of this legislature that nothing in this act shall be construed as empowering or authorizing the levying of or collection of more than one (1) tax of one hundred dollars (\$100.00) per amusement device described as a cylindrical mass shaped like a castle with a seam running down opposite sides of the body whereby the machine may be opened for servicing and four (4) telephone receivers with corresponding money slots for use commonly referred to and labeled as a "Story Castle".

On motion, the amendment was adopted.

Mr. Phillips moved to amend as follows:

**AMENDMENT NO. 4**

Amend House Bill No. 1158 by adding the following language at the end of Item \_\_\_\_ (a) (5) of Section 1:

Provided, however, such "coin-operated amusement device" shall not include any video game machine manufactured in any county having a population of not less than twenty-seven thousand nine hundred (27,900) nor more than twenty-seven thousand nine hundred twenty (27,920), according to the 1980 federal census of population or any subsequent federal census.

Mr. Rhinehart moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	49
Noes . . . . .	35
Present and not voting . . . . .	4

Representatives voting aye were: Anderson, Atchley, Bewley, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Davidson, Davis (Pickett), DeBerry, Elsea, Ford, Frensley, Harrill, Hassell, Henry, Hudson, Hurley, Kent, Kernell, King (Shelby), McAfee, McNally, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Percy, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Shirley, Shockley, Smith, Stafford, Starnes, Tanner, Turner, Webb, Williams, Withers, Wolfe, Wood and Work--49.

Representatives votin no were: Bell, Bivens, Clark (Sumner), Crain, Davis (Gibson), DePriest, Dills, Disspayne, Dixon, Drew, Ellis,

Gafford, Gaia, Gill, Herndon, Hillis, Huskey, Johnson, Jones, Kelley, King (Washington), Kisber, McKinney, Miller, Montgomery, Napier, Owen Phillips, Robinson (Davidson), Severance, Sir, Stallings, Wallace, Wheeler and Whitson--35.

Representatives present and not voting were: Buck, Jared, Robinson (Hamilton) and Wix--4.

Mr. Clark (Sumner) moved to amend as follows:

**AMENDMENT NO. 5**

Amend House Bill No. 1158 by adding the following definition to subsection (a) of item of the amendatory language of Section 1:

( ) "Coin-operated device useable or designed for gambling" includes a gambling device as defined in Tennessee Code Annotated, Section 39-3033 (4), a pinball machine as defined in Tennessee Code Annotated, Section 39-6-631, and any other device or machine commonly used for gambling purposes, including, but not limited to, electronic poker machines, and electronic racing machines, or any other machine providing odds and requiring no skill to win a prize, money or additional games.

AND FURTHER AMEND by deleting the first complete sentence of subsection (b) of item \_\_\_ of the amendatory language of Section 1 and substituting instead the following:

(b) In addition to any other tax, the owner of any coin-operated amusement device shall pay to the department of revenue a tax in the following amount:

(1) five hundred dollars (\$500) for each coin-operated device useable or designed for gambling owned for the privilege of operating, leasing, subleasing or consigning such device in this state.

(2) Fifty dollars (\$50) for each other coin-operated amusement device owned for the privilege of operating, leasing, subleasing or consigning such device in this state.

Mr. Burnett moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	63
Noes . . . . .	22
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Ellis, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Jared, Kelley, Kernell, King (Shelby), Kisber, Love,

McNally, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Washington), Scruggs, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Whitson, Williams, Withers, Wolfe and Work--63.

Representatives voting no were: Anderson, Clark (Sumner), Elsea, Ford, Frensley, Hudson, Hurley, Johnson, Jones, Kent, King (Washington), McAfee, Montgomery, Napier, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shockley, Wheeler, Wix and Wood--22.

Representative present and not voting were: Davis (Gibson) and Webb--2.

Mr. Johnson moved that House Bill No. 1158 be placed on the Calendar in the next available place.

Mr. Rhinehart moved that the motion be tabled, which motion prevailed by the following vote:

Ayes . . . . .	52
Noes . . . . .	35
Present and not voting . . . . .	2

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Ellis, Elsea, Frensley, Gaia, Gill, Hassell, Henry, Hurley, Kent, King (Shelby), Love, McAfee, McNally, Moore (Sullivan), Murphy, Murray, Percy, Pickering, Rhinehart, Robinson (Davidson), Scruggs, Severance, Shirley, Shockley, Smith, Stafford, Starnes, Turner, Ussery, Webb, Wolfe, Wood and Work--52.

Representatives voting no were: Clark (Sumner), Crain, Davis (Gibson), Dills, Dixon, Drew, Ford, Gafford, Herndon, Hillis, Hudson, Huskey, Johnson, Jones, Kelley, King (Washington), Kisber, Miller, Montgomery, Naifeh, Nance, Napier, Owen, Phillips, Robinson (Hamilton), Robinson (Washington), Sir, Stallings, Tanner, Wallace, Wheeler, Whitson, Williams and Wix--35.

Representatives present and not voting were: Harrill and Jared--2.

Ms. DeBerry moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	70
Noes . . . . .	19
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis

(Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Elsea, Frensley, Gaia, Gill, Harrill, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Kelley, Kent, King (Shelby), Kisber, Love, McAfee, McNally, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe and Work--70.

Representatives voting no were: Clark (Sumner), Dixon, Drew, Ford, Gafford, Hassell, Johnson, Jones, King (Washington), Montgomery, Nance, Napier, Robertson, Robinson (Hamilton), Scruggs, Severence, Turner, Williams and Wood--19.

Representatives present and not voting were: Davis (Gibson) and Kernell--2.

Thereupon, House Bill No. 1158, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	67
Noes . . . . .	24
Present and not voting . . . . .	2

Representatives voting aye were: Atchley, Bell, Bewley, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Jared, Kent, Kernell, King (Shelby), Love, McAfee, McKinney, McNally, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Starnes, Tanner, Turner, Ussery, Webb, Williams, Withers, Wix, Wolfe and Work--67.

Representatives voting no were: Bivens, Clark (Sumner), Crain, Dills, Dixon, Drew, Gafford, Harrill, Huskey, Johnson, Jones, Kelley, King (Washington), Kisber, Montgomery, Nance, Napier, Phillips, Robertson, Stallings, Wallace, Wheeler, Whitson and Wood--24.

Representatives present and not voting were: Anderson and Davis (Gibson)--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Naifeh moved that House Bill No. 24 be placed on the next available Calendar, which motion prevailed.

Mr. Murphy moved that House Bill No. 392 be placed on the next available Calendar, which motion prevailed.

House Bill No. 933--To make certain provisions, county and municipal airports.

On motion, House Bill No. 933 was made to conform with Senate Bill No. 880.

On motion, Senate Bill No. 880, on same subject, was substituted for House Bill No. 933.

Mr. Anderson moved that Senate Bill No. 880 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 880 by adding the following language as a new section immediately preceding the severability clause, and by renumbering subsequent sections accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply to any county having a metropolitan form of government.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 880 by inserting the following language in the amendatory language of Section 3 between the words "privilege tax" and "upon":

, in the same manner authorized by Tennessee Code Annotated, Title 67, Chapter 58,

AND FURTHER AMEND, by deleting the following language from the amendatory language of Section 3:

"Classification 1,2,3,4,"

On motion, the amendment was adopted.

Mr. Montgomery moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 880 by adding the following language as a new section to be appropriately numbered immediately preceding the severability clause, and renumbering subsequent sections accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply to any municipality or county creating, controlling, or operating,



in part, an airport or air navigation facility created, controlled, or operated, in part, by at least four (4) political subdivisions of this state and a political subdivision of an adjacent state, which airport is located outside the territorial limits of such municipality or county.

On motion, the amendment was adopted.

Mr. Stafford moved to amend as follows:

**AMENDMENT NO. 4**

Amend Senate Bill No. 880 by adding a new section, as follows, immediately before the effective date section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Mr. King (Washington) moved that Amendment No. 4 be tabled, which motion prevailed.

Thereupon, Senate Bill No. 880, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	88
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood and Work--88.

Representative voting no was: Shirley--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 711--To regulate placement, campaign literature.

Mr. Moore (Sullivan) moved that House Bill No. 711 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 711 by inserting the following language in the amendatory language of Section 2 immediately following the language "subsequent federal census,":

and any county having a metropolitan form of government,

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 711 by inserting the following language in the amendatory language of Section 2 immediately preceding the words "according to":

,any county having a population of not less than seventy four thousand five hundred (74,500) nor more than seventy four thousand six hundred (74,600)

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 711 by inserting the following language in the amendatory language of Section 2 immediately preceding the words "according to":

,and any county having a population of not less than eighty five thousand seven hundred twenty-five (85,725) nor more than eighty five thousand eight hundred twenty-five (85,825)

Mr. Clark (Sumner) moved that Amendment No. 3 be tabled, which motion prevailed.

Mr. Robinson (Washington) moved to amend as follows:

**AMENDMENT NO. 4**

Amend House Bill No. 711 by inserting the following language in Section 2 between the words "not less than" and "one":

eighty-eight thousand seven hundred (88,700) nor more than eighty-eight thousand eight hundred (88,800) not less than

On motion, the amendment was adopted.

Mr. Severance moved to amend as follows:

**AMENDMENT NO. 5**

Amend House Bill No. 711 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall also apply to any county having a population of not less than 319,625 and not more than 319,725 according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Shirley moved to amend as follows:

**AMENDMENT NO. 6**

Amend House Bill No. 711 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall also apply in counties having a population of

not less than	nor more than
28,690	28,750
13,600	13,610
43,700	43,800
700,000	800,000

according to the 1980 federal census of population or any subsequent federal census.

Ms. DeBerry moved to amend Amendment No. 6 as follows:

**AMENDMENT NO. 1 TO AMENDMENT NO. 6**

Amend Amendment No. 6 by deleting the words and figures "not less than 700,000 nor more than 800,000."

Mr. Shirley moved that Amendment No. 1 to Amendment No. 6 be tabled, which motion failed by the following vote:

Ayes . . . . .	24
Noes . . . . .	33
Present and not voting . . . . .	13

Representatives voting aye were: Atchley, Bell, Byrd, Clark (Sumner), Davis (Gibson), Elsea, Frensley, Gafford, Gaia, Herndon, Hudson, Hurley, McNally, Nance, Percy, Severance, Shirley, Smith, Stafford, Turner, Whitson, Wix, Wolfe and Wood--24.

Representatives voting no were: Brewer, Buck, Burnett, Davidson, DeBerry, DePriest, Disspayne, Dixon, Ellis, Gill, Hassell, Hillis, Jones, Kelley, Kent, King (Shelby), Kisber, Love, McKinney, Murphy, Murray, Naifeh, Pickering Rhinehart, Robinson (Hamilton), Scruggs, Stallings, Tanner, Ussery, Wallace, Williams, Withers and Work--33.

Representatives present and not voting were: Anderson, Davis (Pickett), Harrill, Henry, Huskey, Miller, Montgomery, Moore (Sullivan), Owen, Robertson, Shockley, Sir and Webb--13.

On motion, Amendment No. 1 to Amendment No. 6 was adopted.

Thereupon, Amendment No. 6, as amended, was adopted.

Mr. McAfee moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	78
Noes . . . . .	7

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Herndon, Hillis, Hurley, Huskey, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Stafford, Stallings, Tanner, Wallace, Webb, Whitson, Withers, Wix, Wolfe, Wood and Work--78.

Representatives voting no were: Henry, Hudson, Robertson, Scruggs, Smith, Turner and Williams--7.

Thereupon, House Bill No. 711, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Cobb,

Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--91.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution No. 229--Relative to congratulating Oakland High School basketball team.

House Resolution No. 65--Relative to congratulating Gary Yancy.

House Joint Resolution No. 222--Relative to memory, Fred L. Dugger.

House Bill No. 1326--To levy wheel tax, Henry County.

House Bill No. 1331--To amend Charter, Henderson.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 114**

Senate Bill No. 114--To amend Shelby County Restructure Act.

Mr. Gill moved that the motion to reconsider Senate Bill No. 114 be lifted from the table, which motion prevailed.

Mr. Gill moved that the House reconsider its action in passing Senate Bill No. 114 on third and final consideration, as amended, which motion prevailed.

Mr. Gill moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Gill moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 114, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work --91.

A motion to reconsider was tabled.

Mr. Gill moved that action on House Bill No. 917 be deferred until tomorrow, which motion prevailed.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 190--To make certain provisions, indigent defendants.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 190 by adding a new Section 2 to read as follows:

Section 2. This act shall become effective on July 1, 1983, the public welfare requiring it.

SENATE AMENDMENT NO. 2

Amend House Bill No. 190 by adding the following new section:

SECTION 2. Tennessee Code Annotated, Section 40-14-210 is amended by adding the following new subsection to be designated as (e) and by relettering present subsection (e) accordingly:

(e) In every misdemeanor and felony prosecution in which the privilege tax for the criminal injuries compensation fund established by Tennessee Code Annotated, Section 40-24-107, is also levied, the cost imposed by this section shall not be construed as having priority over collection of such privilege tax.

SENATE AMENDMENT NO. 4

Amend House Bill no. 190 by adding a new Section 2 to read as follows:

Section 2. "This act shall take effect upon approval by 2/3 vote of the Metropolitan Council of Nashville Davidson County."

and further amend by renumbering Section 2 as Section 3.

Mr. Murphy moved that the House concur in Senate Amendments Nos. 1, 2 and 4, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--92.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 273--To make certain provisions, constables.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 273 by deleting Section 1 in its entirety and substituting instead the following new section:

**SECTION 1.** Tennessee Code Annotated, Section 8-10-108, is amended by deleting from subsection (b) the following words and figures:

not less than 12,000 nor more than 13,000

and substituting instead the following words and figures:

not less than 12,060 nor more than 12,500

not less than 12,550 nor more than 13,000

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 273 by deleting Section 2 in its entirety and by adding the following language as new sections:

**Section 2.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of any county to which it may apply. Its approval or nonapproval shall be proclaimed by the presiding officer of the county and certified by him to the Secretary of State.

**Section 3.** For the purpose of approving or rejecting the provisions of this act, it shall be effective July 1, 1983, the public welfare requiring it. For all other purposes, it shall become effective upon the end of the term of the incumbent constables in the counties to which this act applies.

**SENATE AMENDMENT NO. 4**

Amend House Bill No. 273 by adding the following new section to be designated as Section 2 and by renumbering present Sections 2 and 3 accordingly:

**Section 2.** Notwithstanding any other provisions of law to the contrary, the office of constable is abolished in any county having a population of not less than six thousand one hundred twenty-five (6,125) nor more than six thousand two hundred twenty-five (6,225) according to the 1980 federal census or any subsequent federal census.

Mr. Buck moved that the House concur in Senate Amendments Nos. 3 and 4, which motion prevailed by the following vote:



Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--92.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 340--To provide payment for special elections, General Assembly members.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 340 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

If a special election is held for the sole purpose of choosing a member of the General Assembly under Tennessee Code Annotated, Section 2-14-202(b), all expenses, including compensation of its employees and election officials, incurred by a county election commission or its members in the performance of duties under this title shall be paid out of the treasury of the state upon the certification of the chairperson and secretary of the county election commission to the secretary of state; provided, however, the secretary of state shall review said claim for expenses and only those items certified by the secretary of state to the comptroller of the treasury shall be paid."

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 340 by adding:

This law shall effect all such elections held on or after April 21, 1983.

Mr. Shockley moved that the House reconsider its action in nonconcurring in Senate Amendment No. 1, which motion prevailed.

Mr. Shockley moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes . . . . .	56
Noes . . . . .	33

Representatives voting aye were: Anderson, Atchley, Bewley, Brewer, Burnett, Byrd, Covington, Crain, Davis (Hamilton), Davis (Pickett), Dills, Dixon, Drew, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hurley, Jared, Johnson, Kernell, King (Shelby), Love, McAfee, McNally, Montgomery, Nance, Napier, Percy, Pickering, Robertson, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood and Work--56.

Representatives voting no were: Bell, Bivens, Bragg, Buck, Chiles, Clark (Davidson), Cobb, Copeland, Davidson, Davis (Gibson), DeBerry, DePriest, Disspayne, Ellis, Hassell, Herndon, Hudson, Jones, Kelley, Kent, Kisber, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Rhinehart, Robinson (Davidson), Scruggs, Tanner, Wallace, Williams and Mr. Speaker McWherter--33.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 835--To make certain provisions, alcoholic beverage taxes.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 835 by deleting Section 1 in its entirety and substituting instead the following new Section 1:

Section 1. Tennessee Code Annotated, Section 57-4-306, is amended by adding the following new language:

Notwithstanding the provisions of item (2) of this section, the fifty percent (50%) of the gross receipt taxes allocated to local political subdivisions by item (2) and collected in a municipality which is a premiere tourist resort shall be distributed to and expended by such municipality for schools in such municipality.

Mr. Severance moved that the House concur in Senate Amendment No. 1, which motion failed by the following vote:

Ayes . . . . .	43
Noes . . . . .	17
Present and not voting . . . . .	27

Representatives voting aye were: Bell, Bewley, Bivens, Burnett, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Drew, Ellis, Gafford, Gaia, Hillis, Hudson, Jared, Johnson, Jones, King (Washington), McAfee, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Napier, Phillips, Pickering, Robertson, Robinson (Davidson), Scruggs, Severance, Sir, Stallings, Starnes, Ussery, Webb, Wheeler, Williams and Work--43.

Representatives voting no were: Atchley, Bragg, Buck, Chiles, Dills, Disspayne, Elsea, Hurley, Huskey, Kelley, Kernell, Percy, Stafford, Turner, Wallace, Whitson and Wolfe--17.

Representatives present and not voting were: Anderson, Byrd, Clark (Sumner), Davis (Hamilton), Dixon, Ford, Frensley, Harrill, Hassell, Henry, Herndon, Kent, King (Shelby), Kisber, Love, McNally, Montgomery, Naifeh, Nance, Rhinehart, Robinson (Hamilton), Robinson (Washington), Shirley, Shockley, Tanner, Wix and Wood--27.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 870--To allow county clerks and executives to solemnize marriages.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 870 by adding before the effective date section the following and by renumbering the subsequent section accordingly:

**SECTION \_\_\_\_.** Tennessee Code Annotated, Section 36-415(a) is amended by deleting from the first sentence the language "of courts of record".

Mr. Naifeh moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	91
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier,

Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--91.

Representative present and not voting was: Stafford--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Love moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 65 out of order, which motion prevailed.

Senate Joint Resolution No. 65--Relative to increasing certain contract fee, Meharry Medical College.

Mr. Love moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 65, which motion prevailed.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

### **RESOLUTIONS LYING OVER**

Senate Joint Resolution No. 83--Relative to obtaining decree, will, William, A. Goodwyn.

The Speaker referred Senate Joint Resolution No. 83 to the Committee on Judiciary.

Senate Joint Resolution No. 84--Relative to study, Home Health Care Agencies.

The Speaker referred Senate Joint Resolution No. 84 to the Committee on General Welfare.

Senate Joint Resolution No. 102--Relative to honoring Bill Bilyeu.

Under the rules, Senate Joint Resolution No. 102 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 103--Relative to congratulating Susan Goodman.

Under the rules, Senate Joint Resolution No. 103 was referred to the Committee on Calendar and Rules.

Mr. Speaker McWherter resumed the Chair.

**SECOND ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 95

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter --95.

**INTRODUCTION OF RESOLUTIONS**

House Resolution No. 66--Relative to study, Fire Safety Codes--By Copeland, Starnes, Robinson (Hamilton), McAfee, Elsea, Wood and Davis (Hamilton).

The Speaker referred House Resolution No. 66 to the Committee on Calendar and Rules.

House Joint Resolution No. 224--Relative to congratulating Robert Frazier--By King (Washington) and Percy.

Under the rules, House Joint Resolution No. 224 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 226--Relative to study, court costs --By Murphy.

The Speaker referred House Joint Resolution No. 226 to the Committee on Calendar and Rules.

House Joint Resolution No. 228--Relative to appreciating Mrs. Naomi Steffey--By Montgomery and Moore (Sullivan).

Under the rules, House Joint Resolution No. 228 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 232--Relative to commending Allen Landers--By Drew, Hudson, Scruggs, Owen and Miller.

Under the rules, House Joint Resolution No. 232 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 233--Relative to memory, Carl Ed Hancock--By Buck and Hillis.

Under the rules, House Joint Resolution No. 233 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 234--Relative to congratulating Ms. Ann Goins--By King (Washington).

Under the rules, House Joint Resolution No. 234 was referred to the Committee on Calendar and Rules.

### **INTRODUCTION OF BILLS**

House Bill No. 1337--To make provisions, employment residency requirements, Harriman--By Henry, Duer and McNally.

Passed first consideration.

House Bill No. 1338--To amend Charter, Kingsport--By Montgomery, Moore (Sullivan) and Whitson.

Passed first consideration.

House Bill No. 1339--To enact Accounting and Budgeting Procedures Law, Henry County--By Kelley and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 1340--To increase terms of office, certain officials, Harriman--By Henry and McNally.

Passed first consideration.

House Bill No. 1341--To amend Charter, Dunlap--By Rhinehart.

Passed first consideration.

House Bill No. 1342--To amend Charter, Covington--By Naifeh.

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 98--To provide sick leave banks, certain institutions

Passed first consideration.

Senate Bill No. 416--To regulate registration, motor vehicles.

Passed first consideration.

Senate Bill No. 765--To define minor, respect to alcoholic beverages.

Passed first consideration.

Senate Bill No. 858--To regulate coon hunting season.

Passed first consideration.

Senate Bill No. 1086--To require corporate surety bonds, beer wholesalers.

Passed first consideration.

### **HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 1332--To enact Technology Corridor Development Authority Act.

Passed second consideration and held without reference.

House Bill No. 1333--To create office of County Attorney, Hawkins County.

Passed second consideration and held without reference.

House Bill No. 1334--To regulate sewage disposal systems, certain counties.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1335--To set coon season, Jefferson County.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1336--To set coon season, Grainger County.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1343--To regulate construction, Campbell County.

Passed second consideration and held without reference.

### **REPORTS FROM STANDING COMMITTEES**

#### **GOVERNMENT OPERATIONS**

MR. SPEAKER: Your Committee on Government Operations begs leave

to report that we have carefully considered and recommend for passage: House Joint Resolution No. 141.

DAVIS (Hamilton), Chairman.

Under the rules, House Joint Resolution No. 141 was transmitted to the Committee on Calendar and Rules.

### **REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, May 4, 1983: House Bills Nos. 727, 946, 642, 957, 958, 454, 774, 201, 696, 343, 766, 352, 653, 1013, 566, 570, 9, 351, 1125, 740 and 1072.

GILL, Chairman.

### **MOTION TO AMEND HOUSE RULES**

Mr. Speaker,

I move you, Sir, that House Rule 65 be amended to add the following new sentence:

All meetings of this House and the Committees thereof shall be held in compliance with the provisions of the Sunshine Law, codified as Tennessee Code Annotated, Title 8, Chapter 44, Part 1.

Rep. Charles R. (Robb) Robinson

Under the rules, the motion lies over.

### **SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the resolutions as indicated below, the prime sponsor of each having agreed to such additions:

House Resolution No. 65--Cobb

House Resolution No. 66--Hudson

### **BILL WITHDRAWN**

On motion of Mr. Wood, House Bill No. 308 was recalled from the Committee on Finance, Ways and Means.

On motion of Mr. Wood, House Bill No. 308 was withdrawn from the House.



**INTRODUCTION OF BILLS**

Mr. Gafford moved that the rules be suspended for the purpose of introducing House Bill No. 1344 out of order, which motion prevailed.

House Bill No. 1344--To regulate motor carriers--By Gafford, Davis (Pickett) and Napier.

Passed first consideration.

Mr. Dills moved that the rules be suspended for the purpose of introducing House Bill No. 1346 out of order, which motion prevailed.

House Bill No. 1346--To provide hospital care for indigent, Dyer County--By Dills.

Passed first consideration.

Mr. Percy moved that the rules be suspended for the purpose of introducing House Bill No. 1347 out of order, which motion prevailed.

House Bill No. 1347--To vest juvenile jurisdiction, Johnson County--By Percy.

Passed first consideration.

**LOCAL BILL TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 1333.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

**MR. SPEAKER:** The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, May 4, 1983: House Bills Nos. 1299, 1174, 1175, 250, 635, 950, 942; House Resolutions Nos. 49, 55; House Joint Resolutions Nos. 154, 189; House Resolution No. 29; Senate Joint Resolution No. 74; House Bills Nos. 651, 698; House Joint Resolution No. 99; and House Bills Nos. 1285, 1333; and House Joint Resolutions Nos. 224, 228, 232, 233, 234; and Senate Joint Resolutions Nos. 102 and 103.

GILL, Chairman.

On motion of Mr. Naifeh, the House adjourned until 2:00 p.m., tomorrow.